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THE
JOURNAL OF THE SENATE

DURING THE

TWENTY-SIXTH SESSION

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA,

1885.

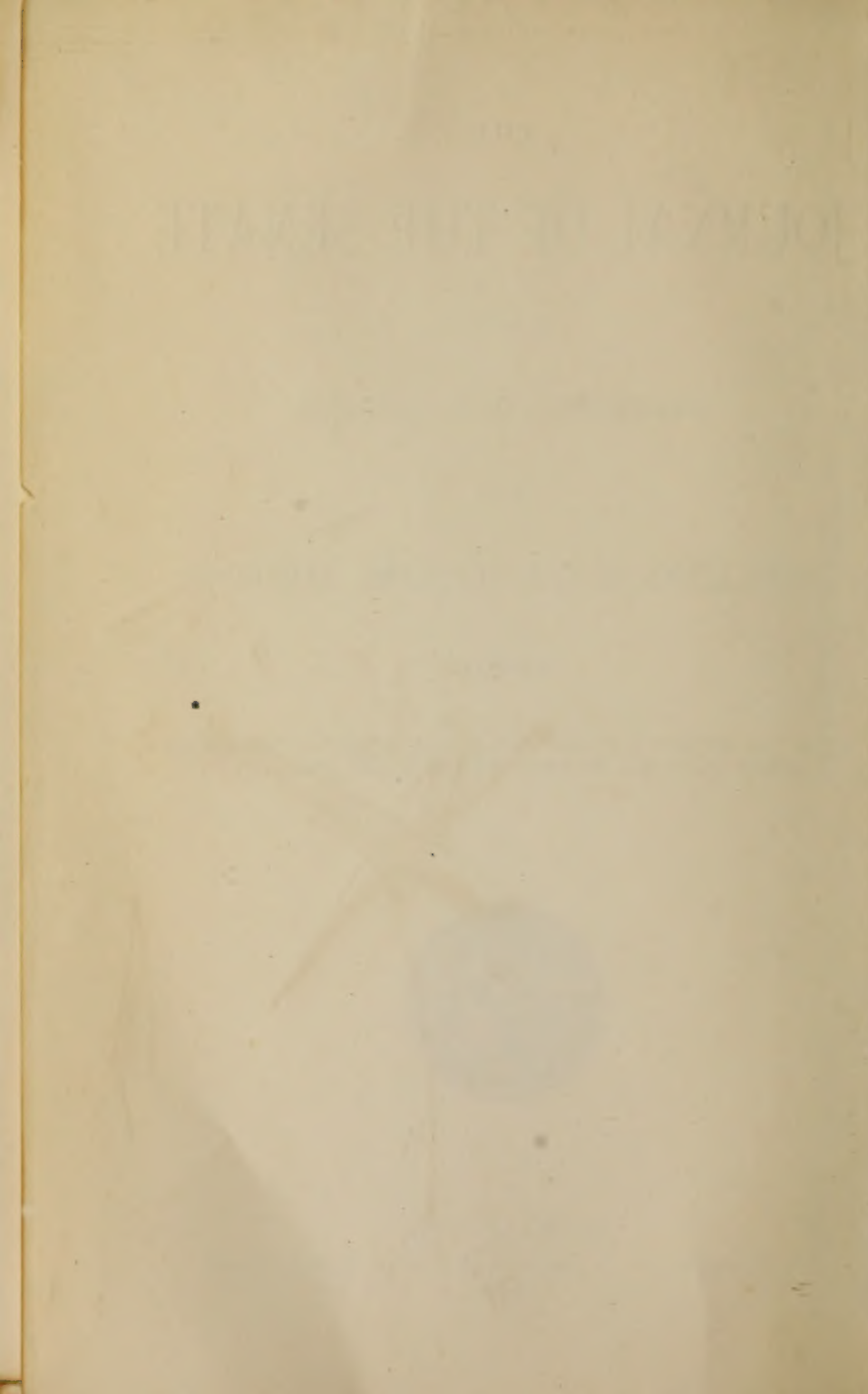
BEGAN ON MONDAY, JANUARY FIFTH, AND ENDED ON WEDNESDAY,
MARCH ELEVENTH, EIGHTEEN HUNDRED AND EIGHTY-FIVE.



SACRAMENTO:

STATE OFFICE JAMES J. AYERS, SUPT. STATE PRINTING.

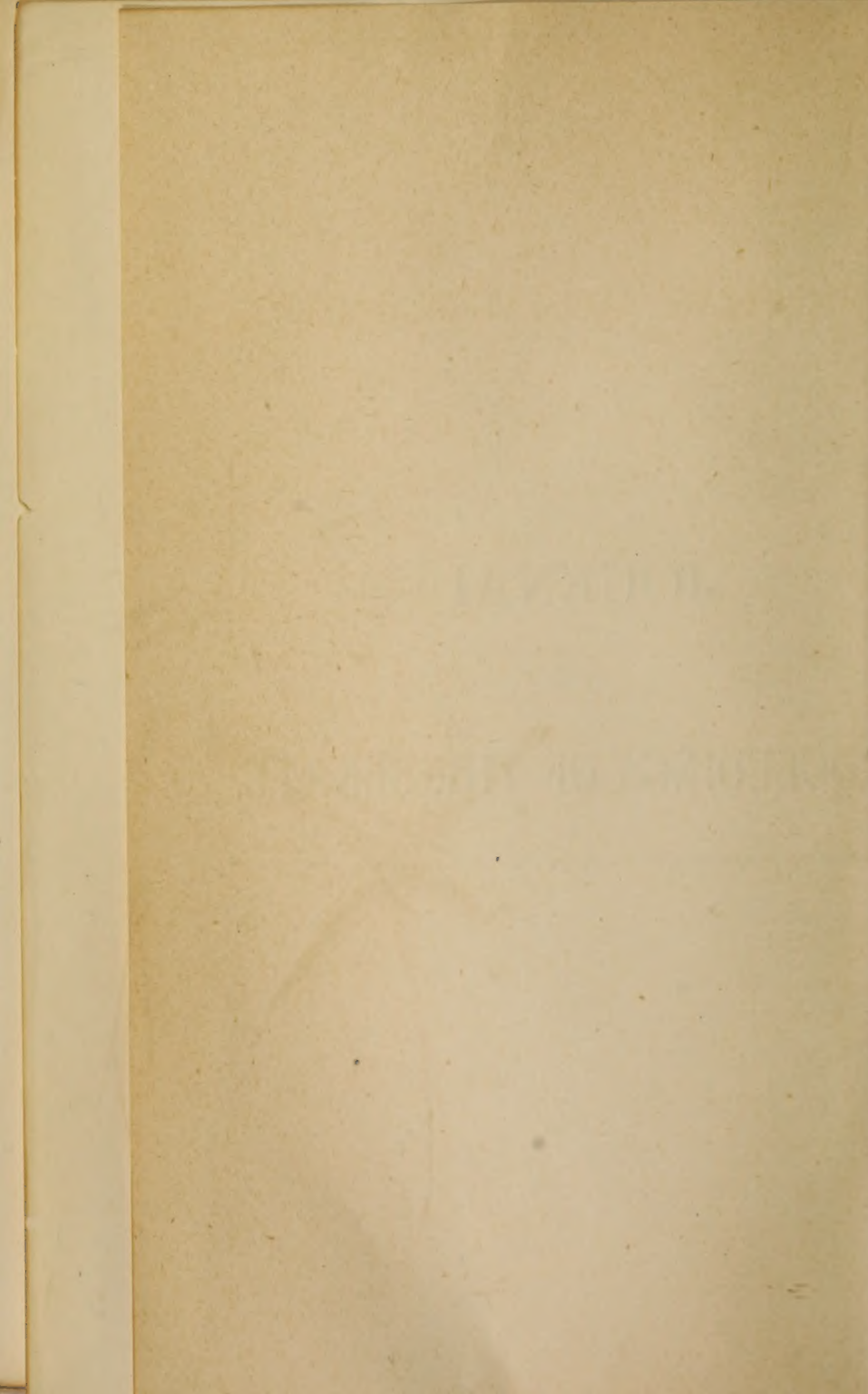
1885.



JOURNAL

OF THE

PROCEEDINGS OF THE SENATE.



CALIFORNIA LEGISLATURE—SENATE.

TWENTY-SIXTH SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, January 5, 1885. }

The Senate met at twelve o'clock M., pursuant to the requirements of the Constitution of the State of California.

The Hon. John Daggett, President of the Senate, presided, and announced that "this being the time designated in the Constitution for the meeting of the Legislature, the Senate will come to order. The Secretary will call the roll of Senators returned by the Secretary of State as elected."

ROLL CALL.

The Secretary then called the roll of the Senators elect, and all the Senators responded, with the exception of Hon. Dennis Spencer, Hon. M. J. Wright, and Hon. George Steele:

First District—San Diego and San Bernardino: A. P. Johnson.

Second District—Los Angeles: R. F. Del Valle.

Third District—Ventura, Santa Barbara, and San Luis Obispo: George Steele.

Fourth District—Fresno, Tulare, Kern, Mono, and Inyo: P. Reddy.

Fifth District—Mariposa, Merced, and Stanislaus: J. D. Spencer.

Sixth District—Monterey, San Benito, and Santa Cruz: Ben. Knight.

Seventh District—Santa Clara: A. W. Saxe and J. R. Lowe.

Eighth District—San Francisco and San Mateo: J. Lynch.

Ninth District—San Francisco: G. C. Parkinson and E. Palmieri.

Tenth District—San Francisco: D. McClure and G. H. Perry.

Eleventh District—San Francisco: E. F. Drumm and D. J. Creighton.

Twelfth District—San Francisco: J. T. Dougherty and Martin Kelly.

Thirteenth District—San Francisco: J. M. Days and J. L. Boone.

Fourteenth District—Alameda: H. Vrooman and G. E. Whitney.

Fifteenth District—Contra Costa and Marin: F. C. DeLong.

Sixteenth District—San Joaquin and Amador: B. F. Langford and F. T. Baldwin.

Seventeenth District—Calaveras and Tuolumne: A. B. Beauvais.

Eighteenth District—Sacramento: J. Routier and Fred. Cox.

Nineteenth District—Solano and Yolo: M. J. Wright and W. B. Parker.

Twentieth District—Napa, Lake, and Sonoma: D. Spencer.

Twenty-first District—Sonoma: G. A. Johnson.

Twenty-second District—Placer: J. A. Filcher.

Twenty-third District—El Dorado and Alpine: H. Mahler.

Twenty-fourth District—Nevada and Sierra: C. W. Cross and H. W. Wallis.

Twenty-fifth District—Yuba and Sutter: A. L. Chandler.
Twenty-sixth District—Butte, Plumas, and Lassen: W. W. Kellogg.
Twenty-seventh District—Del Norte, Humboldt, and Mendocino: B. G. Hurlburt.
Twenty-eighth District—Siskiyou, Modoc, Trinity, and Shasta: Clay W. Taylor.
Twenty-ninth District—Colusa and Tehama: C. F. Foster.

OATH OF OFFICE.

The Senators elect now took and subscribed to the oath of office, administered by the President, as follows:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator according to the best of my ability.

TEMPORARY OFFICERS.

The President then announced the following temporary officers, except as to those provided by law:

Sergeant-at-Arms—I. G. Messec.
Assistant Sergeant-at-Arms—John Pinch.
Gatekeepers—Nathaniel Jones and William McGann.
Porter—J. D. Farrell.
Gallery Porter—Hank Jones.
Pages—J. W. Coffroth, James Cronan, John Toomey, and J. Goldstein.
Postmistress—Mrs. J. V. David.
Mail Carrier—Thomas McGann.
Rear Porter—W. E. Maguire.
Watchman—Daniel Coughlan.

RULES.

Mr. Knight moved that the rules of the twenty-fifth regular session be adopted so far as they apply to a temporary organization of the Senate.

Adopted.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Mr. Del Valle moved to adjourn to eleven o'clock on Tuesday, January 6, 1885.

Carried.

Whereupon the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
 Tuesday, January 6, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The Journal of yesterday read and approved.

George Steele, from the Third District, and M. J. Wright, of the Nineteenth District, appeared and were sworn in as Senators.

ADJOURNMENT.

At eleven o'clock and twelve minutes A. M. Mr. Cross moved to adjourn.

Ayes and noes were demanded on the motion by Senators Lowe, Days, and Perry.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—18.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—21.

CALL OF SENATE.

Mr. Del Valle moved a call of the Senate.

Roll call demanded by Senators McClure, Whitney, and Lowe.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—17.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Hurlburt, Johnson of San Bernardino, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—22.

At eleven o'clock and sixteen minutes A. M. Mr. Taylor moved to adjourn until to-morrow, at eleven o'clock A. M.

Roll call demanded by Senators Parker, McClure, and Chandler.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—18.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—21.

Mr. Filcher moved that the Senate take a recess until one o'clock P. M.

Roll call demanded by Senators Lowe, McClure, and Parker.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—19.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—20.

Mr. Cox moved a call of the Senate.

Roll call demanded by Senators Vrooman, Lowe, and McClure.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—19.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—20.

At eleven o'clock and twenty-four minutes A. M. Mr. Taylor moved to adjourn.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—19.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—20.

PRESIDENT PRO TEM. OF THE SENATE.

Mr. Vrooman nominated Hon. Geo. E. Whitney.

Mr. Del Valle moved that further proceedings for nominating permanent officers be deferred until three o'clock and thirty minutes P. M.

Roll call demanded on the motion by Senators McClure, Vrooman, and Johnson.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor—19.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—20.

RECESS.

Mr. Lynch moved to take a recess until two o'clock P. M.

ADJOURNMENT.

At eleven o'clock and thirty minutes A. M., on motion of Mr. McClure, the Senate adjourned until eleven o'clock to-morrow, January 7, 1885.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 7, 1885. }

Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Journal of yesterday read and approved.

APPOINTMENTS.

The President announced the appointment of James Costello as temporary Night Watchman, and J. Longshore as temporary Page.

PRESIDENT PRO TEM. OF THE SENATE.

Mr. Johnson of Sonoma nominated Hon. R. F. Del Valle for President pro tem. of the Senate.

Mr. Kellogg nominated Hon. B. Knight.

The Secretary announced the names of candidates as follows: Hon. R. F. Del Valle, Hon. B. Knight, and Hon. George E. Whitney.

ROLL CALL.

Roll called, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.
For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.
For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.
For Johnson—Mr. Del Valle.
For Langford—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.
For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.
For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.
For Johnson—Mr. Del Valle.
For Langford—Mr. Knight.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.
For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Johnson—Mr. Del Valle.

For Langford—Mr. Knight.

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| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Johnson—Mr. Del Valle.

For Langford—Mr. Knight.

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| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Johnson—Mr. Del Valle.

For Langford—Mr. Knight.

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| Necessary to a choice | 21 |
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| Mr. Del Valle received | 13 |
| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Knight—Messrs. Baldwin, Cross, Dougherty, Kelly, and Kellogg.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Johnson—Mr. Del Valle.

For Langford—Mr. Knight.

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| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |

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| Mr. Knight received | 5 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Johnson received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Johnson received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

| | |
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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Johnson received | 1 |
| Mr. Langford received | 2 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Johnson received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

For Creighton—Mr. Dougherty.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Johnson received..... | 1 |
| Mr. Creighton received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

RESOLUTION.

Mr. Cross offered a resolution, by consent, in regard to the appointment of a Chaplain, which was read.

Mr. Vrooman raised the point of order that the Senate was not permanently organized and was not therefore competent to proceed to the election of a Chaplain.

The Chair sustained the point of order.

ROLL CALL—(RESUMED).

For Langford—Messrs. Baldwin and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Del Valle.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Johnson received..... | 1 |

ADJOURNMENT.

At eleven o'clock and forty-five minutes A. M. Mr. Taylor moved to adjourn until eleven o'clock to-morrow, Thursday, January 8.

Roll call demanded on the motion by Senators Lowe, Perry, and Routier.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Mahler, McClure, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—21.

NOES—Messrs. Boone, Chandler, Cross, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Knight, Lowe, Lynch, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Wallis, and Wright—19.

Whereupon the Senate adjourned.

 IN SENATE.

SENATE CHAMBER,
Thursday, January 8, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Journal of yesterday read and approved.

RESOLUTION.

Mr. Johnson of Sonoma offered the following resolution, by consent, which was read for information, and ruled out of order:

Resolved, That a committee of three be appointed by the President of the Senate to wait on his Excellency the Governor, and inform him that the Senate is in session, and awaits any communication he may have to make.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin, Del Valle, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 3 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Reddy—Mr. Del Valle.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Reddy received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Spencer of Napa—Mr. Del Valle.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Spencer of Napa received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Taylor—Mr. Del Valle.

For Chandler—Mr. Perry.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Taylor received | 1 |
| Mr. Chandler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Lynch—Mr. Del Valle.

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|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Lynch received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Cox—Mr. Del Valle.

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|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Cox received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Spencer of Stanislaus—Mr. Del Valle.

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|------------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Spencer of Stanislaus received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Foster—Mr. Del Valle.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Foster received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Filcher—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Filcher received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Creighton—Mr. Del Valle.

For Chandler—Mr. Perry.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Creighton received | 1 |
| Mr. Chandler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Drumm—Mr. Del Valle.

For Chandler—Mr. Perry.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Drumm received..... | 1 |
| Mr. Chandler received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Baldwin, Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Foster—Mr. Del Valle.

For Baldwin—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 14 |
| Mr. Knight received..... | 4 |
| Mr. Foster received..... | 1 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin, Del Valle, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 3 |

RESOLUTION.

Mr. Spencer of Stanislaus offered the following resolution, by consent, which was read for information:

Resolved, That when the Senate adjourns to-day, it does so in commemoration of the battle of New Orleans, and in honor of the patriot and statesman, Andrew Jackson.

Mr. Baldwin offered the following as a substitute:

Resolved, That the Senate adjourn until to-morrow, at eleven o'clock A. M., out of respect to the memory of General Jackson, and commemoration of the battle of New Orleans.

Roll call demanded by Senators Lowe, Baldwin, and Filcher.

Roll called, and the substitute lost by the following vote:

AYES—Messrs. Baldwin, Days, Cross, Dougherty, Kelly, Kellogg, Knight, Langford, Perry, and Vrooman—10.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—30.

The question recurring on the original resolution, roll call was demanded by Senators Baldwin, Wallis, and Spencer of Stanislaus.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drumm, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—24.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Parker, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—16.

Roll call on the election of President pro tem. resumed, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin, Del Valle, and Knight.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |

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| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 3 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Mahler received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Mahler received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Mahler received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Messrs. Baldwin and Knight.

For Mahler—Mr. Del Valle.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Mahler received | 1 |

RECESS.

The hour having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

At two o'clock and eight minutes P. M., Mr. Kellogg moved to adjourn until one o'clock and thirty minutes P. M. on Monday, January 12, 1885.

Mr. Lowe moved to amend, by making the hour two o'clock and thirty minutes P. M.

Amendment accepted.

Roll call demanded on the motion by Senators Johnson of Sonoma, Vrooman, and Spencer of Napa.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Days, Dougherty, Kelly, Kellogg, Lowe, McClure, Palmieri, Routier, Vrooman, Whitney, and Wright—14.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, DeLong, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—26.

ELECTION OF OFFICERS—(RESUMED).

The election of President pro tem. being in order, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Knight.

For Mahler—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Mahler received | 15 |
| Mr. Johnson received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Knight.

For Mahler—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Mahler received..... | 15 |
| Mr. Johnson received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Johnson—Mr. Knight.

For Mahler—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Mahler received..... | 15 |
| Mr. Johnson received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Mahler—Mr. Creighton.

For Kellogg—Mr. Knight.

For Creighton—Messrs. Baldwin, Cox, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Mahler received..... | 1 |
| Mr. Kellogg received..... | 1 |
| Mr. Creighton received..... | 14 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Creighton—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Creighton received..... | 15 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kelly—Mr. Knight.

For Creighton—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Creighton received | 15 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Drumm—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Kellogg received | 1 |
| Mr. Drumm received | 15 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Drumm—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Drumm received | 15 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Drumm—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Drumm received | 15 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Cox—Mr. Baldwin.

For Baldwin—Messrs. Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Cox received..... | 1 |
| Mr. Baldwin received..... | 14 |
| Mr. Kellogg received..... | 1 |

RESOLUTION.

Mr. Boone offered the following resolution, by consent, which was read for information :

Resolved, That the Senate proceed to vote for President pro tem., and its other officers for a permanent organization, by secret ballot.

Ruled out of order by the President.

There being no choice for President pro tem., the Secretary resumed the roll call, with the following result :

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Cox—Mr. Baldwin.

For Baldwin—Messrs. Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | 1 |
| Mr. Baldwin received..... | 14 |
| Mr. Cox received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Cox—Messrs. Baldwin, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Baldwin—Mr. Cox.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Baldwin received..... | 1 |
| Mr. Cox received..... | 14 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Cox—Messrs. Baldwin, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Baldwin—Mr. Cox.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Cox received..... | 14 |
| Mr. Baldwin received..... | 1 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Cox—Mr. Baldwin.

For Filcher—Messrs. Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Filcher received..... | 14 |
| Mr. Cox received..... | 1 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Filcher—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Reddy—Mr. Filcher.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Filcher received..... | 14 |
| Mr. Reddy received..... | 1 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Foster—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.
For Langford—Mr. Foster.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Foster received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Langford received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Foster—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Langford—Mr. Foster.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 1 |
| Mr. Foster received..... | 14 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Johnson of Sonoma—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Langford, Mahler, Lynch, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Taylor—Mr. Johnson of Sonoma.

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|-------------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Johnson of Sonoma received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Taylor received..... | 1 |

APPEAL.

Mr. Lowe appealed from the decision of the Chair, holding that a plurality only was necessary to constitute a choice.

Upon the question, shall the decision of the Chair stand as the judgment of the Senate, the ayes and noes were demanded by Senators DeLong, Kellogg, and Saxe.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—36.

NOES—Messrs. Boone, Lowe, and Saxe—3.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Johnson of Sonoma—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Taylor—Mr. Johnson of Sonoma.

| | |
|-------------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Johnson of Sonoma received..... | 14 |
| Mr. Taylor received..... | 1 |
| Mr. Kellogg received..... | 1 |

RESOLUTION.

Mr. Drumm offered the following resolution, by consent, which was read:

Resolved, That a recess of fifteen minutes be taken between the calling of each ballot for the election of a President pro tem.

Ayes and noes demanded on the adoption of the resolution, by Senators Vrooman, Johnson of San Bernardino, and Baldwin.

Roll called, and the resolution lost by the following vote:

AYES—Messrs. Creighton, Days, Drumm, Kelly, Kellogg, Mahler, Perry, Reddy, Spencer of Napa, Taylor, and Wallis—11.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright—29.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Langford—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Baldwin—Mr. Langford.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Langford.

For Kellogg—Mr. Knight.

For Langford—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 5 |
| Mr. Langford received..... | 14 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Lynch—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Baldwin—Mr. Lynch.

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|---------------------------------|----|
| Whole number of votes cast..... | 39 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Knight received..... | 4 |
| Mr. Lynch received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Reddy—Mr. Baldwin.

For Lynch—Messrs. Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Baldwin—Mr. Lynch.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Reddy received..... | 1 |
| Mr. Lynch received..... | 13 |
| Mr. Kellogg received..... | 1 |
| Mr. Baldwin received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Reddy—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Foster—Mr. Reddy.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Reddy received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Foster received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kelly—Mr. Knight.

For Reddy—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Foster—Mr. Reddy.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Knight received..... | 4 |
| Mr. Reddy received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Foster received..... | 1 |

ADJOURNMENT.

At three o'clock and thirty minutes P. M., Mr. Dougherty moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Reddy, Vrooman, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Days, DeLong, Dougherty, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Steele, Vrooman, Wallis, Whitney, and Wright—19.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lowe, Lynch, Mahler, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, and Taylor—21.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Spencer of Napa—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Cox—Mr. Spencer of Napa.

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| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Knight received..... | 3 |
| Mr. Spencer of Napa received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Cox received..... | 1 |

ADJOURNMENT.

At three o'clock and forty minutes P. M., Mr. Lowe moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Vrooman, Del Valle, and Lowe.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Days, Dougherty, Hurlburt, Lowe, Routier, Vrooman, Wallis, and Whitney—9.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, DeLong, Del Valle, Drumm, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wright—29.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Spencer of Napa—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Spencer of Stanislaus—Mr. Spencer of Napa.

| | |
|---|----|
| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Knight received..... | 3 |
| Mr. Spencer of Napa received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Spencer of Stanislaus received..... | 1 |

ADJOURNMENT.

At three o'clock and fifty minutes P. M., Mr. Parkinson moved to adjourn until Monday, at one o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Spencer of Napa, Cox, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Days, DeLong, Dougherty, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Steele, Vrooman, Wallis, Whitney, and Wright—19.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, and Taylor—20.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Spencer of Stanislaus—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Taylor.

For Mahler—Mr. Spencer of Stanislaus.

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| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Knight received..... | 3 |
| Mr. Spencer of Stanislaus received..... | 14 |
| Mr. Kellogg received..... | 1 |
| Mr. Mahler received..... | 1 |

ADJOURNMENT.

At three o'clock and fifty-five minutes P. M. Mr. Kellogg moved to adjourn until Monday, at one o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Del Valle, Spencer of Stanislaus, and Mahler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Days, DeLong, Dougherty, Johnson of San Bernardino, Kelly, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Routier, Vrooman, Wallis, Whitney, and Wright—19.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, Perry, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Taylor—21.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Spencer of Stanislaus—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Taylor.

For Mahler—Mr. Spencer of Stanislaus.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Spencer of Stanislaus received | 14 |
| Mr. Kellogg received | 1 |
| Mr. Mahler received | 1 |

ADJOURNMENT.

At four o'clock and five minutes P. M. Mr. Parkinson moved to adjourn.

Ayes and noes demanded on the motion, by Senators Taylor, Del Valle, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Days, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Parkinson, Saxe, Steele, Wallis, and Whitney—12.

NOES—Messrs. Baldwin, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wright—27.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Taylor—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Johnson of Sonoma—Mr. Taylor.

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| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Knight received | 4 |
| Mr. Taylor received | 14 |
| Mr. Kellogg received | 1 |
| Mr. Johnson of Sonoma received | 1 |

RECESS.

At four o'clock and ten minutes P. M., Mr. Knight moved to take a recess until eight o'clock P. M.

Lost.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Taylor—Messrs. Baldwin, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Baldwin—Mr. Taylor.

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|----------------------------------|----|
| Whole number of votes cast | 38 |
| Necessary to a choice | 20 |
| Mr. Whitney received | 19 |
| Mr. Knight received | 3 |
| Mr. Taylor received | 14 |
| Mr. Kellogg received | 1 |
| Mr. Baldwin received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Baldwin, Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 37 |
| Necessary to a choice | 19 |
| Mr. Whitney received | 18 |
| Mr. Del Valle received | 14 |
| Mr. Knight received | 3 |
| Mr. Baldwin received | 1 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Baldwin, Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 38 |
| Necessary to a choice | 20 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 14 |
| Mr. Knight received | 3 |
| Mr. Kellogg received | 1 |
| Mr. Baldwin received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Baldwin, Cox, Creighton, Drumm, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 35 |
| Necessary to a choice | 18 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 3 |
| Mr. Baldwin received | 1 |
| Mr. Kellogg received | 1 |

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., Mr. Steele moved to adjourn.

Lost.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 11 |
| Mr. Knight received | 3 |
| Mr. Kellogg received | 2 |
| Mr. Baldwin received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 11 |
| Mr. Knight received | 3 |
| Mr. Kellogg received | 2 |
| Mr. Baldwin received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Dougherty, Drumm, Kelly, and Kellogg.

For Kellogg—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 10 |
| Mr. Knight received | 4 |
| Mr. Kellogg received | 2 |
| Mr. Baldwin received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drumm, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Messrs. Baldwin and Knight.

For Baldwin—Mr. Del Valle.

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|----------------------------------|----|
| Whole number of votes cast | 36 |
| Necessary to a choice | 19 |
| Mr. Whitney received | 18 |
| Mr. Del Valle received | 12 |
| Mr. Knight received | 3 |
| Mr. Kellogg received | 2 |
| Mr. Baldwin received | 1 |

ADJOURNMENT.

At four o'clock and forty minutes P. M., Mr. Knight moved to adjourn until Monday, at one o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Taylor, Spencer of Stanislaus, and Lowe.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Cross, Dougherty, Kelly, Knight, Palmieri, Parkinson, Wallis, and Wright—9.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lynch, Mahler, McClure, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—29.

At four o'clock and forty-two minutes P. M., Mr. Kellogg moved to adjourn.

Mr. Del Valle moved to amend, by making it eleven o'clock to-morrow, January 9, 1885.

Ayes and noes demanded on the amendment, by Senators Reddy, Taylor, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Days, Del Valle, Drumm, Hurlburt, Johnson of San Bernardino, Kelly, Lynch, Spencer of Napa, Steele, and Taylor—14.

NOES—Messrs. Baldwin, Boone, Cross, DeLong, Dougherty, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Vrooman, Wallis, Whitney, and Wright—25.

The question recurring on the original motion, the ayes and noes were demanded by Senators McClure, Vrooman, and Wright.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Days, Del Valle, Drumm, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lynch, Parker, Parkinson, Spencer of Napa, and Steele—17.

NOES—Messrs. Baldwin, Cox, Cross, DeLong, Dougherty, Filcher, Foster, Johnson of Sonoma, Lowe, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright—22.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

Ayes and noes demanded on the motion, by Senators Vrooman, Taylor, and Kellogg.

Senator Langford granted leave of absence until Monday, January 12, 1885.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cross, Days, DeLong, Dougherty, Kelly, Kellogg, Knight, Lynch, Palmieri, Parkinson, Perry, Routier, Wallis, and Wright—15.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Del Valle, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Mahler, McClure, Parker, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—24.

ADJOURNMENT.

At four o'clock and forty minutes P. M., Mr. Knight moved to adjourn.

Ayes and noes demanded on the motion, by Senators Knight, Filcher, and Kellogg.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Days, Del Valle, Drumm, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lynch, Parkinson, Spencer of Napa, Steele, and Wallis—17.

NOES—Messrs. Baldwin, Cox, Cross, DeLong, Dougherty, Filcher, Foster, Johnson of Sonoma, Lowe, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wright—22.

At four o'clock and forty-two minutes P. M., Mr. Lynch moved to adjourn until to-morrow, at eleven o'clock A. M.

Ayes and noes demanded on the motion, by Senators Vrooman, Palmieri, and McClure.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Creighton, Del Valle, Drumm, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Lynch, Spencer of Napa, Steele, and Taylor—12.

NOES—Messrs. Baldwin, Beauvais, Boone, Cox, Cross, Days, DeLong, Dougherty, Filcher, Foster, Johnson of Sonoma, Kellogg, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Vrooman, Wallis, Whitney, and Wright—27.

Mr. Days moved that when the Senate does adjourn, it adjourn to Monday, January 12, 1885, at two o'clock and thirty minutes P. M.

Mr. Perry moved to amend, by making the hour one o'clock and thirty minutes P. M. of that date.

Mr. Days accepted the amendment.

Ayes and noes demanded on the motion, by Senators Lynch, Johnson, and Parker.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Johnson of San Bernardino, Kelly, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Whitney, and Wright—22.

NOES—Messrs. Baldwin, Cox, Creighton, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kellogg, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, Taylor, and Wallis—17.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. Filcher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 12, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Mr. Foster was granted one day's leave of absence.

Journal of yesterday read and approved.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary announced the names of the candidates, and proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Langford. Mr. Lowe would have voted for Mr. Whitney and Mr. Langford for Mr. Del Valle.

Mr. Parker was paired with Mr. Foster. Mr. Parker would have voted for Mr. Whitney, and Mr. Foster would have voted for Mr. Del Valle.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

QUESTION OF PRIVILEGE.

Mr. Kellogg rose to a question of privilege concerning an article in the Placer Herald, of date of January 10, 1885, published by J. A. Filcher, a Senator on this floor, which he read, and declared that the article misrepresented him and his associates.

Mr. Cross rose to a question of privilege on the same point.

Mr. Filcher, on a question of privilege, declared his purpose to reply on Wednesday, January 14, 1885.

ELECTION OF OFFICERS—(RESUMED).

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Chandler—Mr. Perry.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 17 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |
| Mr. Chandler received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Chandler—Mr. Steele.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 17 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |
| Mr. Chandler received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Chandler—Mr. Steele.

| | |
|----------------------------------|----|
| Whole number of votes cast | 36 |
| Necessary to a choice | 19 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 11 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |
| Mr. Chandler received | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Chandler—Mr. Steele.

| | |
|----------------------------------|----|
| Whole number of votes cast | 36 |
| Necessary to a choice | 19 |
| Mr. Whitney received | 17 |
| Mr. Del Valle received | 11 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |
| Mr. Chandler received | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Chandler—Messrs. Boone and Steele.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Whitney received | 15 |
| Mr. Del Valle received | 11 |
| Mr. Knight received | 3 |
| Mr. Langford received | 2 |
| Mr. Chandler received | 2 |
| Mr. Kellogg received | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

Mr. Vrooman was paired with Mr. Kellogg.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

For Chandler—Mr. Steele.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Whitney received..... | 16 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |
| Mr. Chandler received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

Mr. Vrooman was paired with Mr. Kellogg.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Mr. Baldwin.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

For Chandler—Mr. Steele.

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|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Whitney received..... | 16 |
| Mr. Del Valle received..... | 11 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 1 |
| Mr. Kellogg received..... | 1 |
| Mr. Chandler received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Parker was paired with Mr. Foster.

Mr. Del Valle was paired with Mr. DeLong.

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Vrooman, the Senate adjourned until eleven o'clock A. M. to-morrow (Tuesday), January 13, 1885.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 13, 1885. }

Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Journal of yesterday read and approved.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary announced the names of the candidates, and proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 17 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Kellogg was paired with Mr. Vrooman.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Kellogg was paired with Mr. Vrooman.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 14 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

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For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San

Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin, Del Valle, and Knight.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 3 |

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For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

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| Necessary to a choice..... | 20 |
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| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Kellogg was paired with Mr. Vrooman.

There being no choice, the Secretary proceeded to call the roll, with the following result:

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 12 |

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| Mr. Knight received | 3 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Kellogg was paired with Mr. Vrooman.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

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| Mr. Whitney received | 18 |
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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, and Kelly.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
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Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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There being no choice, the Secretary proceeded to call the roll, with the following result:

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 38 |
| Necessary to a choice | 20 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 12 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 38 |
| Necessary to a choice | 20 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 12 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Perry was paired with Mr. Spencer of Napa.

RECESS.

The hour having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock p. m. the Senate reassembled.

President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma,

Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

ELECTION OF OFFICERS.

The President announced the first business in order to be the election of President pro tem.

The Secretary proceeded to call the roll, with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

ADJOURNMENT.

At two o'clock and eighteen minutes P. M., on motion of Mr. Boone, the Senate adjourned until Wednesday, January 14, 1885, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 14, 1885. }

Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

READING OF JOURNAL.

Journal of yesterday partially read.

Mr. Boone moved that further reading of the Journal be dispensed with.

Lost.

Reading of the Journal concluded and approved.

QUESTION OF PRIVILEGE.

Mr. Filcher replied to Senators Kellogg and Cross, on the question of privilege raised by them on Monday, January 12, 1885.

RESOLUTION.

Mr. Vrooman offered the following resolution:

Resolved, That the Senate will proceed immediately to the election of President pro tempore; and if, after the roll shall have been called three times, no Senator shall have received a majority of the whole number of votes, the roll shall again be called, and the Senator who shall then receive the largest number of votes, provided it be a majority of a quorum, shall be declared to be elected President pro tempore.

After debate, the ayes and noes were demanded on the adoption of the resolution, by Senators Kellogg, Parkinson, and Johnson of San Bernardino.

Roll called, and the resolution lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—18.

NOES—Messrs. Baldwin, Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Taylor—22.

LEAVE OF ABSENCE.

Mr. Taylor was granted three days' leave of absence.

RECESS.

The hour having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright.

Quorum present.

Mr. Routier stated that he voted under a misapprehension on the resolution introduced by Senator Vrooman. He wished his vote to be recorded aye.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 37 |
| Necessary to a choice | 19 |
| Mr. Whitney received | 18 |
| Mr. Del Valle received | 12 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| Necessary to a choice | 21 |
| Mr. Whitney received | 20 |
| Mr. Del Valle received | 13 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 38 |
| Necessary to a choice | 20 |
| Mr. Whitney received | 19 |
| Mr. Del Valle received | 12 |

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|----------------------------|---|
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 38 |
| Necessary to a choice..... | 20 |
| Mr. Whitney received..... | 19 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Cross.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Whitney received..... | 18 |
| Mr. Del Valle received..... | 12 |
| Mr. Knight received..... | 3 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Lowe was paired with Mr. Cross.

Mr. McClure was paired with Mr. Taylor.

At two o'clock and twenty-three minutes, p. m., Mr. Wallis moved to adjourn.

Ayes and noes demanded on the motion, by Senators Wallis, Spencer of Stanislaus, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES.—Messrs. Beauvais, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Knight, McClure, Palmieri, Parkinson, Routier, Steele, Vrooman, Wallis, Whitney, and Wright—19.

NOES.—Messrs. Baldwin, Boone, Chandler, Cox, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, Parker, Perry, Reddy, Saxe, Spencer of Napa, and Spencer of Stanislaus—20.

Mr. Kellogg moved to take a recess until eight o'clock to-night.

Lost.

Whereupon the Secretary proceeded to call the roll on the election of President pro tem., with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Cox, Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 40 |
| Necessary to a choice..... | 21 |
| Mr. Whitney received..... | 20 |
| Mr. Del Valle received..... | 13 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Johnson moved to pass the election of President pro tem., and proceed with the election of the other officers of the Senate.

The President ruled that the motion was not in order.

ADJOURNMENT.

At two o'clock and forty minutes P. M., on motion of Mr. Langford, the Senate adjourned until eleven o'clock to-morrow, Thursday, January 15, 1885.

IN SENATE.

SENATE CHAMBER,
Thursday, January 15, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Journal of yesterday read, corrected in language concerning question of privilege, and approved.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Whitney received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Beauvais—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Whitney received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Beauvais—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Beauvais received..... | 15 |
| Mr. Del Valle received..... | 8 |

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| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Boone—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Boone received | 15 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Boone—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Boone received | 15 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Beauvais—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.
For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Beauvais received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle
For Chandler—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis and Wright.
For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.
For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.
For Kellogg—Mr. Knight.

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| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Chandler received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.
For Chandler—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.
For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.
For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.
For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Chandler received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Days—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Days received | 15 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Days—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Days received | 15 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For DeLong—Messrs. Beauvais, Boone, Chandler, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Whitney—Mr. DeLong.

For Kellogg—Mr. Knight.

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|----------------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. DeLong received | 13 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |
| Mr. Whitney received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For DeLong—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. DeLong received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Hurlburt—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Hurlburt received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Hurlburt—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

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|----------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Hurlburt received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Johnson of San Bernardino—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|--|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Johnson of San Bernardino received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Johnson of San Bernardino—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|--|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Johnson of San Bernardino received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Lowe—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Lowe received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Langford—Messrs. Baldwin and Del Valle.

For Lowe—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Lowe received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 2 |
| Mr. Kellogg received | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin, Creighton, and Del Valle.

For McClure—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Del Valle—Messrs. Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. McClure received | 14 |
| Mr. Del Valle received | 6 |
| Mr. Knight received | 4 |
| Mr. Kellogg received | 1 |
| Mr. Drum received | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Mr. Baldwin.

For McClure—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Mr. Del Valle.

For Kellogg—Mr. Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. McClure received | 14 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 1 |
| Mr. Kellogg received | 1 |
| Mr. Drum received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Mr. Baldwin.

For Palmieri—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Mr. Del Valle.

For Kellogg—Mr. Knight.

For Whitney—Mr. Palmieri.

| | |
|----------------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Palmieri received | 13 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 4 |
| Mr. Langford received | 1 |
| Mr. Kellogg received | 1 |
| Mr. Drum received | 1 |
| Mr. Whitney received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Mr. Baldwin.

For Palmieri—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Mr. Del Valle.

For Kellogg—Mr. Knight.

For Whitney—Mr. Palmieri.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Palmieri received..... | 13 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 1 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 1 |
| Mr. Whitney received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Mr. Baldwin.

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Mr. Del Valle.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Parker received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 1 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 1 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Mr. Baldwin.

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Langford—Mr. Del Valle.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Parker received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Langford received..... | 1 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Parkinson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Parkinson received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Parkinson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Parkinson received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | |
| Mr. Drum received..... | |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Perry—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Perry received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Perry—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Perry received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Routier—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Routier received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Kellogg received..... | 1 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin, Del Valle, and Knight.

For Routier—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Routier received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Drum received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin, Del Valle, and Knight.

For Saxe—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

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|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Saxe received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 4 |
| Mr. Drum received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin, Del Valle, and Knight.

For Saxe—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

| | |
|----------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Saxe received | 15 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 4 |
| Mr. Drum received | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Perry was paired with Mr. Spencer of Napa.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Steele—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Drum—Messrs. Del Valle and Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. Steele received | 15 |
| Mr. Del Valle received | 9 |
| Mr. Knight received | 4 |
| Mr. Drum received | 2 |

Mr. Baldwin was paired with Mr. Steele.

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Steele—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

For Drum—Mr. Del Valle.

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|----------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. Steele received | 14 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 5 |
| Mr. Drum received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Steele.

Mr. Routier was paired with Mr. Lynch.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Vrooman—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Vrooman received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 5 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Routier was paired with Mr. Lynch.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Vrooman—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 30 |
| Necessary to a choice..... | 16 |
| Mr. Vrooman received..... | 15 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 5 |
| Mr. Drum received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Routier was paired with Mr. Lynch.

At twelve o'clock and thirty minutes p. m., on motion of Mr. Del Valle, the hour of recess was temporarily extended.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Wallis—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

For Whitney—Mr. Wallis.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Wallis received..... | 15 |
| Mr. Del Valle received..... | 9 |
| Mr. Knight received..... | 5 |
| Mr. Drum received..... | 2 |
| Mr. Whitney received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Wallis—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

For Whitney—Mr. Wallis.

| | |
|----------------------------|----|
| Whole number of votes cast | 32 |
| Necessary to a choice | 17 |
| Mr. Wallis received | 15 |
| Mr. Del Valle received | 9 |
| Mr. Knight received | 5 |
| Mr. Drum received | 2 |
| Mr. Whitney received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Wright—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 32 |
| Necessary to a choice | 17 |
| Mr. Wright received | 16 |
| Mr. Del Valle received | 9 |
| Mr. Knight received | 5 |
| Mr. Drum received | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Drum—Messrs. Baldwin and Del Valle.

For Wright—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|----------------------------|----|
| Whole number of votes cast | 32 |
| Necessary to a choice | 17 |
| Mr. Wright received | 16 |
| Mr. Del Valle received | 9 |
| Mr. Knight received | 5 |
| Mr. Drum received | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.

RECESS.

At twelve o'clock and forty minutes P. M. the President declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

One day's leave of absence was granted to Senators Cox, Filcher, Reddy, Langford, Baldwin, and Routier.

CALL OF THE SENATE.

On motion of Mr. Vrooman, a call of the Senate was ordered.

Roll called, and the following Senators answered to their names :

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

The President announced that all Senators not absent on leave were present.

On motion of Mr. Vrooman, further proceedings under the call of the Senate were dispensed with.

ELECTION OF OFFICERS.

The President announced the first business in order to be the election of a President pro tem.

The Secretary proceeded to call the roll, with the following result :

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

For Drum—Mr. Del Valle.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Whitney received..... | 14 |
| Mr. Del Valle received..... | 8 |
| Mr. Knight received..... | 5 |
| Mr. Drum received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. McClure was paired with Mr. Taylor.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Hurlburt, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 26 |
| Necessary to a choice | 14 |
| Mr. Whitney received | 13 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 5 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. McClure was paired with Mr. Taylor.

Mr. Del Valle was paired with Mr. DeLong.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Hurlburt, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Drum, Kelly, Kellogg, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 26 |
| Necessary to a choice | 14 |
| Mr. Whitney received | 13 |
| Mr. Del Valle received | 7 |
| Mr. Knight received | 6 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. McClure was paired with Mr. Taylor.

Mr. Del Valle was paired with Mr. DeLong.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Whitney—Messrs. Beauvais, Boone, Chandler, Hurlburt, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 26 |
| Necessary to a choice | 14 |
| Mr. Whitney received | 13 |
| Mr. Del Valle received | 8 |
| Mr. Knight received | 5 |

Mr. Days was paired with Mr. Reddy.
 Mr. Lowe was paired with Mr. Langford.
 Mr. Whitney was paired with Mr. Filcher.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. Baldwin was paired with Mr. Johnson of San Bernardino.
 Mr. McClure was paired with Mr. Taylor.
 Mr. Del Valle was paired with Mr. DeLong.

ADJOURNMENT.

At two o'clock and twenty-two minutes P. M., on motion of Mr. Parker, the Senate adjourned until eleven o'clock A. M. to-morrow, Friday, January 16, 1885.

IN SENATE.

SENATE CHAMBER,
 Friday, January 16, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
 President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Journal of yesterday partially read.

Mr. Steele moved that further reading of the Journal be dispensed with.

Ayes and noes demanded by Senators Lynch, Spencer of Stanislaus, and Mahler.

Roll called, and the motion lost by the following vote:

Ayes—Messrs. Beauvais, Boone, Creighton, Cross, Dougherty, Hurlburt, Kelly, Kellogg, Lowe, Palmieri, Parkinson, Routier, Saxe, Steele, and Wallis—15.

Noes—Messrs. Baldwin, Chandler, Days, DeLong, Del Valle, Drum, Foster, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lynch, Mahler, McClure, Parker, Spencer of Stanislaus, Whitney, and Wright—17.

Mr. Lowe was paired with Mr. Langford.

Mr. Perry was paired with Mr. Spencer of Napa.

Mr. Vrooman was paired with Mr. Cox.

Reading of Journal concluded and approved.

Mr. Del Valle moved that the President appoint a Journal Clerk for the temporary organization.

Carried.

The President announced the appointment of Mr. John F. Meagher as temporary Journal Clerk.

LEAVE OF ABSENCE.

Mr. Spencer of Napa was granted one day's leave of absence.

CALL OF THE SENATE.

Mr. Lynch moved a call of the Senate.

Lost.

ELECTION OF OFFICERS.

The election of President pro tem. being in order, the Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, and Wright.

For Del Valle—Messrs. Creighton, Drum, Foster, Johnson of Sonoma, Lynch, Mahler, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|-------------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. Whitney received..... | 14 |
| Mr. Del Valle received..... | 7 |
| Mr. Knight received..... | 4 |
| Mr. Johnson of Sonoma received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Lowe was paired with Mr. Langford.

Mr. Whitney was paired with Mr. Filcher.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. Perry was paired with Mr. Spencer of Napa.

RESOLUTION.

The following resolution was offered by Mr. Days:

Resolved, That the Senator receiving the highest number of votes upon the next ballot, provided it be a majority of a quorum, shall be the President pro tem. of the Senate.

RECESS.

Pending debate on the adoption of this resolution, the hour arrived, and the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled, President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

CALL OF THE SENATE.

Mr. McClure moved a call of the Senate.

Carried.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The Chair announced that all Senators were present, except those absent on leave.

On motion of Mr. McClure, further proceedings under the call of the Senate were dispensed with.

RESOLUTIONS—(RESUMED).

The question recurring on the adoption of the resolution offered by Mr. Days, the ayes and noes were demanded by Senators Vrooman, Lowe, and McClure.

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright—17.

NOES—Messrs. Baldwin, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus—17.

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

Whereupon, the resolution was declared lost.

ELECTION OF OFFICERS.

The President announced the first business in order to be the election of a President pro tem.

The Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Whitney received..... | 17 |
| Mr. Del Valle received..... | 10 |
| Mr. Knight received..... | 4 |
| Mr. Johnson received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Messrs. Baldwin and Del Valle.

For Whitney—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Del Valle—Messrs. Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Knight—Messrs. Cross, Dougherty, Kelly, and Kellogg.

For Kellogg—Mr. Knight.

| | |
|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Whitney received..... | 17 |
| Mr. Del Valle received..... | 10 |
| Mr. Knight received..... | 4 |
| Mr. Johnson of Sonoma received..... | 2 |
| Mr. Kellogg received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Messrs. Baldwin and Del Valle.

For Knight—Messrs. Beauvais, Cross, Dougherty, Drum, Kelly, Kellogg, Knight, Palmieri, Perry, Routier, Saxe, Wallis, and Wright.

For Chandler—Messrs. Boone, DeLong, Hurlburt, Parker, and Parkinson.

For Hurlburt—Mr. Chandler.

For Del Valle—Messrs. Creighton, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Baldwin—Messrs. Johnson of San Bernardino, Lowe, and Steele.

For McClure—Mr. Whitney.

| | |
|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Del Valle received..... | 9 |
| Mr. Knight received..... | 13 |
| Mr. McClure received..... | 1 |
| Mr. Johnson of Sonoma received..... | 2 |
| Mr. Chandler received..... | 5 |
| Mr. Hurlburt received..... | 1 |
| Mr. Baldwin received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Messrs. Baldwin and Lowe.

For Knight—Messrs. Beauvais, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Kellogg, Knight, Palmieri, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Baldwin—Messrs. Boone, Chandler, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Steele.

For Chandler—Messrs. Hurlburt and Parker.

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|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Knight received..... | 17 |
| Mr. Johnson of Sonoma received..... | 2 |
| Mr. Baldwin received..... | 13 |
| Mr. Chandler received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Johnson of Sonoma—Mr. Baldwin.

For Knight—Messrs. Beauvais, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Kellogg, Knight, Lowe, Palmieri, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Baldwin—Messrs. Boone, Chandler, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Steele.

For Chandler—Messrs. Hurlburt and Parker.

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|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Baldwin received..... | 13 |
| Mr. Knight received..... | 18 |
| Mr. Johnson of Sonoma received..... | 1 |
| Mr. Chandler received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. Knight, having received a majority of all the votes cast, was declared duly elected President pro tem. of the Senate.

SECRETARY OF THE SENATE.

Mr. Johnson nominated Edwin F. Smith.

Mr. Lowe nominated Marcus D. Boruck.

The roll was called, with the following result:

For Smith—Messrs. Baldwin, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Steele.

For Boruck—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

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|------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Edwin F. Smith received..... | 18 |
| Mr. Marcus D. Boruck received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. Smith, having received a majority of all the votes cast, was declared duly elected Secretary of the Senate.

ASSISTANT SECRETARIES.

Mr. Johnson nominated R. O. Cravens and J. J. McCarthy.

Mr. Boone nominated F. J. Saxe.

Mr. Whitney nominated Frank B. Ogden.

Mr. Kellogg nominated Hugh J. Lynch and Charles H. McGreevy.

Mr. Kellogg moved that each member cast his vote for two candidates for Assistant Secretaries of the Senate, and the two receiving the majority of all the votes cast to be declared elected.

Carried.

The roll was called, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Kellogg, and Knight.

For Lynch and McCarthy—Mr. Kelly.

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|---------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 12 |
| Mr. J. J. McCarthy received..... | 13 |
| Mr. F. J. Saxe received..... | 17 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 5 |
| Mr. Charles H. McGreevy received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Kellogg, and Knight.

For Lynch and McCarthy—Mr. Kelly.

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|---------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 12 |
| Mr. J. J. McCarthy received..... | 13 |
| Mr. F. J. Saxe received..... | 17 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 5 |
| Mr. Charles H. McGreevy received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Creighton, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Drum, Kellogg, and Knight.

For Lynch and McCarthy—Mr. Kelly.

For Saxe and McCarthy—Mr. Perry.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 11 |
| Mr. J. J. McCarthy received..... | 13 |
| Mr. F. J. Saxe received..... | 17 |
| Mr. Frank B. Ogden received..... | 16 |
| Mr. Hugh J. Lynch received..... | 6 |
| Mr. Chas. H. McGreevy received..... | 5 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Kellogg, and Knight.

For Lynch and McCarthy—Mr. Kelly.

For Saxe and McCarthy—Mr. Perry.

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|--------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 12 |
| Mr. J. J. McCarthy received | 14 |
| Mr. F. J. Saxe received | 17 |
| Mr. Frank B. Ogden received | 16 |
| Mr. Hugh J. Lynch received | 5 |
| Mr. Chas. H. McGreevy received | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

At three o'clock p. m. Mr. Cross moved to adjourn.

Lost.

Mr. Kellogg moved to take a recess for one hour.

Ayes and noes demanded on the motion, by Senators Wallis, Lowe, and Parkinson.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cross, Drum, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Parker, Perry, Saxe, Wallis, and Wright—13.

NOES—Messrs. Baldwin, Beauvais, Chandler, Creighton, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of Sonoma, Langford, Lynch, Mahler, Palmieri, Parkinson, Routier, Spencer of Napa, Spencer of Stanislaus, and Steele—20.

The election of Assistant Secretaries being in order, the Secretary proceeded to call the roll, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Creighton, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Drum, Kellogg, and Knight.

For Lynch and McCarthy—Mr. Kelly.

For Saxe and McCarthy—Mr. Perry.

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|----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 11 |
| Mr. J. J. McCarthy received | 13 |
| Mr. F. J. Saxe received | 17 |
| Mr. Frank Ogden received | 16 |
| Mr. Hugh J. Lynch received | 6 |
| Mr. Charles H. McGreevy received | 5 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Cravens and Lynch—Mr. Baldwin.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McCarthy—Messrs. Creighton and Kelly.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Drum, Kellogg, and Knight.
For Cravens and McCarthy—Messrs. Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

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|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 10 |
| Mr. J. J. McCarthy received..... | 12 |
| Mr. F. J. Saxe received..... | 17 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 7 |
| Mr. Chas. H. McGreevy received..... | 5 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Cravens and Lynch—Mr. Baldwin.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Cravens and McCarthy—Messrs. Creighton, Del Valle, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Lynch and McGreevy—Messrs. Cross, Dougherty, Drum, and Knight.

For Lynch and McCarthy—Messrs. Foster, Kelly, and Kellogg.

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|-------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 10 |
| Mr. J. J. McCarthy received..... | 12 |
| Mr. F. J. Saxe received..... | 17 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 8 |
| Mr. Chas. H. McGreevy received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

RECESS.

At three o'clock and fifteen minutes P. M., Mr. Lowe moved to take a recess until four o'clock P. M.

Ayes and noes demanded on the motion, by Senators Perry, Baldwin, and Parkinson.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Boone, Creighton, Cross, DeLong, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Parker, Perry, Routier, Saxe, Wallis, Whitney, and Wright—20.

NOES—Messrs. Baldwin, Beauvais, Chandler, Dougherty, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Palmieri, Parkinson, Spencer of Napa, Spencer of Stanislaus, and Steele.—14.

So ordered.

REASSEMBLED.

At four o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma,

Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright.

Quorum present.

ELECTION OF OFFICERS—(RESUMED).

The election of Assistant Secretaries being in order, the Secretary proceeded to call the roll, with the following result:

For Cravens and McCarthy—Messrs. Baldwin, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Saxe and Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch and McCarthy—Messrs. Creighton, Drum, and Kelly.

For Lynch and Saxe—Messrs. Cross and Perry.

For Lynch and McGreevy—Messrs. Dougherty, Kellogg, and Knight.

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|---------------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 10 |
| Mr. J. J. McCarthy received..... | 13 |
| Mr. F. J. Saxe received..... | 18 |
| Mr. Frank B. Ogden received..... | 16 |
| Mr. Hugh J. Lynch received..... | 8 |
| Mr. Charles H. McGreevy received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. Saxe, having received a majority of all the votes cast, was declared elected as one of the Assistant Secretaries of the Senate.

There being no choice for the second Assistant Secretary, the Secretary proceeded to call the roll, with the following result:

For Cravens—Messrs. Baldwin, Foster, Johnson of Sonoma, Langford, and Spencer of Stanislaus.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, Drum, Kellogg, Knight, and Perry.

For McCarthy—Messrs. Del Valle, Filcher, Kelly, Lynch, Mahler, and Spencer of Napa.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Frank B. Ogden received..... | 16 |
| Mr. R. O. Cravens received..... | 5 |
| Mr. J. J. McCarthy received..... | 6 |
| Mr. Hugh J. Lynch received..... | 7 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Del Valle, Drum, Kelly, Langford, Lynch, Perry, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, Kellogg, and Knight.

For Cravens—Messrs. Filcher, Foster, Johnson of Sonoma, Mahler, and Spencer of Stanislaus.

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| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 5 |
| Mr. J. J. McCarthy received | 8 |
| Mr. Frank B. Ogden received | 16 |
| Mr. Hugh J. Lynch received | 5 |

Mr. Days was paired with Mr. Reddy.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Del Valle, Filcher, Kelly, Langford, Lynch, Mahler, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, Drum, Kellogg, and Knight.

For Cravens—Messrs. Foster, Johnson of Sonoma, and Spencer of Stanislaus.

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|-----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 3 |
| Mr. J. J. McCarthy received | 8 |
| Mr. Frank B. Ogden received | 17 |
| Mr. Hugh J. Lynch received | 6 |

Mr. Days was paired with Mr. Reddy.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Del Valle, Kelly, Langford, Lynch, Mahler, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, Drum, Kellogg, and Knight.

For Cravens—Messrs. Filcher, Foster, Johnson of Sonoma, and Spencer of Stanislaus.

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|-----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Frank B. Ogden received | 17 |
| Mr. J. J. McCarthy received | 7 |
| Mr. Hugh J. Lynch received | 6 |
| Mr. R. O. Cravens received | 4 |

Mr. Days was paired with Mr. Reddy.
 Mr. Vrooman was paired with Mr. Cox.
 Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Del Valle, Kelly, Langford, Lynch, Mahler, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, Drum, Kellogg, and Knight.

For Cravens—Messrs. Filcher, Foster, Johnson of Sonoma, and Spencer of Stanislaus.

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|-----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Frank B. Ogden received | 17 |
| Mr. R. O. Cravens received | 4 |
| Mr. J. J. McCarthy received | 7 |
| Mr. Hugh J. Lynch received | 6 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

At four o'clock and twenty-five minutes P. M., Mr. Parkinson moved to adjourn.

Lost.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Perry, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

Lor Lynch—Messrs. Creighton, Cross, Dougherty, and Drum.

For Cravens—Messrs. Del Valle, Filcher, Mahler, and Spencer of Stanislaus.

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|-----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 4 |
| Mr. J. J. McCarthy received | 10 |
| Mr. Frank B. Ogden received | 16 |
| Mr. Hugh J. Lynch received | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Perry, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Cross, Dougherty, and Drum.

For Cravens—Messrs. Del Valle, Filcher, Mahler, and Spencer of Stanislaus.

| | |
|-----------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. R. O. Cravens received | 4 |
| Mr. J. J. McCarthy received | 10 |
| Mr. Frank B. Ogden received | 16 |
| Mr. Hugh J. Lynch received | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For McCarthy—Messrs. Baldwin, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Dougherty, Drum, and Knight.

For Cravens—Mr. Spencer of Stanislaus.

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|----------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 1 |
| Mr. J. J. McCarthy received..... | 12 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For McCarthy—Messrs. Baldwin, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, and Spencer of Napa.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Messrs. Creighton, Dougherty, Drum, and Knight.

For Cravens—Mr. Spencer of Stanislaus.

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|----------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 1 |
| Mr. J. J. McCarthy received..... | 12 |
| Mr. Frank B. Ogden received..... | 17 |
| Mr. Hugh J. Lynch received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For McCarthy—Messrs. Baldwin, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Perry, Spencer of Napa, and Spencer of Stanislaus.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Lynch—Mr. Dougherty.

For Cravens—Mr. Spencer of Stanislaus.

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|----------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. R. O. Cravens received..... | 1 |
| Mr. J. J. McCarthy received..... | 17 |
| Mr. Frank B. Ogden received..... | 16 |
| Mr. Hugh J. Lynch received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For McCarthy—Messrs. Baldwin, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Ogden—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

| | |
|----------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. J. J. McCarthy received..... | 17 |
| Frank B. Ogden received..... | 17 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

The vote being a tie, the President exercised his constitutional right, and voted for Mr. J. J. McCarthy.

Mr. McCarthy, having received a majority of all the votes cast, was declared elected as Assistant Secretary of the Senate.

SERGEANT-AT-ARMS.

Mr. Johnson nominated I. G. Messec.

Mr. Hurlburt nominated P. R. Klein.

The Secretary called the roll, with the following result :

For Messec—Messrs. Baldwin, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Klein—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

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|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. I. G. Messec received..... | 17 |
| Mr. P. R. Klein received..... | 17 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

The vote being a tie, the President exercised his constitutional right, and voted for I. G. Messec.

Mr. Messec, having received a majority of all the votes cast, was declared elected Sergeant-at-Arms.

ASSISTANT SERGEANT-AT-ARMS.

Mr. Johnson of Sonoma nominated Mr. P. McHale.

Mr. Kellogg nominated Mr. J. Pinch.

Mr. Parker nominated Mr. R. W. Parker.

The Secretary proceeded to call the roll, with the following result :

For McHale—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. P. McHale received..... | 12 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 17 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result :

For Parker—Messrs. Beauvais, Boone, Chandler, Hurlburt, Lowe, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 30 |
| Necessary to a choice | 16 |
| Mr. P. McHale received | 11 |
| Mr. J. Pinch received | 4 |
| Mr. R. W. Parker received | 15 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. DeLong was paired with Mr. Kellogg.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, Hurlburt, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Dougherty, Kelly, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 26 |
| Necessary to a choice | 14 |
| Mr. R. W. Parker received | 13 |
| Mr. P. McHale received | 10 |
| Mr. J. Pinch received | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. DeLong was paired with Mr. Kellogg.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Cross was paired with Mr. Routier.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Dougherty, Kelly, Kellogg, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast | 28 |
| Necessary to a choice | 15 |
| Mr. R. W. Parker received | 14 |
| Mr. P. McHale received | 10 |
| Mr. J. Pinch received | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. DeLong was paired with Mr. Kellogg.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Cross was paired with Mr. Routier.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, DeLong, Hurlburt, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Creighton, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, Knight, and Perry.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 28 |
| Necessary to a choice..... | 15 |
| Mr. P. McHale received..... | 9 |
| Mr. J. Pinch received..... | 6 |
| Mr. R. W. Parker received..... | 13 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Cox.

Mr. McClure was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

Mr. Chandler was paired with Mr. Del Valle.

At four o'clock and fifty-five minutes P. M., Mr. Knight moved to adjourn.

Ayes and noes demanded on the motion by Senators Lowe, Kellogg, and DeLong.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Drum, Knight, Parkinson, and Wright—4.

NOES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, Palmieri, Parker, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Whitney—28.

Mr. Saxe moved to take a recess until seven o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Senators Kellogg, Parker, and Knight.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Boone, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Palmieri, Parker, Perry, Saxe, and Wright—15.

NOES—Messrs. Beauvais, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Kelly, Lynch, Mahler, Parkinson, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Whitney—16.

RECESS.

At five o'clock P. M. Mr. Kellogg moved to take a recess until eight o'clock P. M.

Ayes and noes were demanded on the motion, by Senators Parkinson, DeLong, and Knight.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Beauvais, Boone, Cross, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kellogg, Knight, Lowe, McClure, Parker, Perry, Routier, Saxe, Spencer of Napa, Steele, and Wright—18.

NOES—Messrs. Chandler, Creighton, DeLong, Del Valle, Dougherty, Drum, Kelly, Lynch, Mahler, Palmieri, Parkinson, Spencer of Stanislaus, Wallis, and Whitney—14.

So ordered.

REASSEMBLED.

At eight o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright.

Quorum present.

ELECTION OF OFFICERS—(RESUMED).

The election of Assistant Sergeant-at-Arms being in order, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Vale, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. R. W. Parker received..... | 16 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For McHale—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Pinch—Messrs. Cross, Dougherty, Kelly, Kellogg, and Knight.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 11 |
| Mr. J. Pinch received..... | 5 |
| Mr. R. W. Parker received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Pinch—Messrs. Beauvais, Boone, Cross, DeLong, Dougherty, Hurlburt, Kelly, Kellogg, Knight, Palmieri, Parker, Perry, Routier, Saxe, Steele, Whitney, and Wright.

For McHale—Messrs. Chandler, Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Parkinson, Spencer of Napa, and Spencer of Stanislaus.

For Parker—Messrs. McClure and Wallis.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. P. McHale received..... | 13 |
| Mr. J. Pinch received..... | 17 |
| Mr. R. W. Parker received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

Mr. Pinch, having received a majority of the votes cast, was duly declared elected Assistant Sergeant-at-Arms of the Senate.

MINUTE CLERK.

Mr. Perry nominated Mr. R. G. Falk.

Mr. Del Valle nominated Mr. G. W. Peckham.

The Secretary called the roll, with the following result:

For Falk—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Peckham—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Miller—Messrs. Cross, Kelly, and Kellogg.

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|-----------------------------------|----|
| Whole number of votes cast..... | 31 |
| Necessary to a choice..... | 16 |
| Mr. R. G. Falk received..... | 17 |
| Mr. Geo. W. Peckham received..... | 11 |
| Mr. Jos. Miller received..... | 3. |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

Mr. Falk, having received the majority of the votes cast, was declared elected Minute Clerk.

JOURNAL CLERK.

Mr. Johnson nominated Mr. John F. Meagher.

Mr. Lowe nominated Mr. H. A. Mason.

The Secretary proceeded to call the roll, with the following result:

For Mason—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Meagher—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

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|-----------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. John F. Meagher received..... | 16 |
| Mr. H. A. Mason received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

The vote being a tie, the President exercised his constitutional right, and voted for John F. Meagher.

Mr. Meagher, having received the majority of all the votes cast, was declared elected Journal Clerk of the Senate.

ENROLLING CLERK.

Mr. Johnson of Sonoma nominated P. M. Sullivan.

Mr. Chandler nominated O. W. Jasper.

The Secretary proceeded to call the roll, with the following result:

For Jasper—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Sullivan—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

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|-----------------------------|----|
| Whole number of votes cast | 32 |
| Necessary to a choice | 17 |
| Mr. P. M. Sullivan received | 16 |
| Mr. O. W. Jasper received | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

The vote being a tie, the President exercised his constitutional right, and voted for P. M. Sullivan.

Mr. Sullivan, having received a majority of all the votes cast, was declared elected Enrolling Clerk of the Senate.

ENGROSSING CLERK.

Mr. Routier nominated Mr. G. W. Jackson.

Mr. Lynch nominated Mr. W. J. Gavigan.

Mr. Dougherty nominated Mr. Geo. F. Tuttle.

Mr. Cross nominated Mr. Maurice Simmons.

The Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Tuttle—Mr. Dougherty.

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|-----------------------------|----|
| Whole number of votes cast | 32 |
| Necessary to a choice | 17 |
| Mr. G. W. Jackson received | 16 |
| Mr. Wm. J. Gavigan received | 15 |
| Mr. Geo. F. Tuttle received | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.
For Tuttle—Mr. Dougherty.

| | |
|----------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. G. W. Jackson received..... | 16 |
| Mr. Wm. J. Gavigan received..... | 15 |
| Mr. Geo. F. Tuttle received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Tuttle—Messrs. Cross, Dougherty, and Knight.

| | |
|----------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. G. W. Jackson received..... | 16 |
| Mr. Wm. J. Gavigan received..... | 13 |
| Mr. Geo. F. Tuttle received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Simmons—Messrs. Cross and Knight.

For Tuttle—Mr. Dougherty.

| | |
|-----------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Geo. W. Jackson received..... | 16 |
| Mr. Wm. J. Gavigan received..... | 13 |
| Mr. Maurice Simmons received..... | 2 |
| Mr. Geo. F. Tuttle received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Tuttle—Mr. Dougherty.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. G. W. Jackson received..... | 16 |
| Mr. William J. Gavigan received..... | 15 |
| Mr. George F. Tuttle received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Tuttle—Mr. Dougherty.

| | |
|-------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. George W. Jackson received..... | 16 |
| Mr. Wm. J. Gavigan received..... | 15 |
| Mr. Geo. F. Tuttle received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Jackson—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Tuttle—Mr. Dougherty.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. George W. Jackson received..... | 16 |
| Mr. William J. Gavigan received..... | 15 |
| Mr. George F. Tuttle received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Tuttle—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, and Whitney.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Wright.

For Jackson—Messrs. Steele and Wallis.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. George W. Jackson received..... | 2 |
| Mr. William J. Gavigan received..... | 16 |
| Mr. George F. Tuttle received..... | 14 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Tuttle—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Jackson—Mr. Wallis.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. George F. Tuttle received..... | 16 |
| Mr. William J. Gavigan received..... | 15 |
| Mr. Jackson received..... | 1 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Tuttle—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Jackson—Mr. Wallis.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Jackson received..... | 1 |
| Mr. William J. Gavigan received..... | 15 |
| Mr. George F. Tuttle received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Tuttle—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright.

For Gavigan—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Jackson—Mr. Wallis.

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|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Jackson received..... | 1 |
| Mr. William J. Gavigan received..... | 15 |
| Mr. George F. Tuttle received..... | 16 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Tuttle—Messrs. Beauvais, Boone, DeLong, Dougherty, Hurlburt, Knight, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Gavigan—Messrs. Chandler, Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

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|----------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Wm. J. Gavigan received..... | 15 |
| Mr. Geo. F. Tuttle received..... | 17 |

Mr. Days was paired with Mr. Reddy.
 Mr. Vrooman was paired with Mr. Taylor.
 Mr. Johnson of San Bernardino was paired with Mr. Baldwin.
 Mr. Lowe was paired with Mr. Langford.
 Mr. Tuttle, having received a majority of all the votes cast, was declared elected Engrossing Clerk of the Senate.

POSTMISTRESS.

Mr. Johnson of Sonoma nominated Mrs. D. H. Ewing.

Mr. DeLong nominated Mrs. Lizzie T. Russell.

Mr. Cross nominated Mrs. J. V. David.

The Secretary proceeded to call the roll, with the following result:

For Mrs. Russell—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Mrs. Ewing—Messrs. Cox, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Mrs. David—Messrs. Creighton, Cross, Dougherty, and Kelly.

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|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mrs. D. H. Ewing received..... | 12 |
| Mrs. Lizzie T. Russell received..... | 16 |
| Mrs. J. V. David received..... | 4 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Mrs. Russell—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Mrs. Ewing—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Mrs. David—Messrs. Cross, Dougherty, and Kelly.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mrs. D. H. Ewing received..... | 13 |
| Mrs. Lizzie T. Russell received..... | 16 |
| Mrs. J. V. David received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Mrs. Russell—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Mrs. Ewing—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Mrs. David—Messrs. Cross, Dougherty, and Kelly.

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|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mrs. D. H. Ewing received..... | 13 |
| Mrs. Lizzie T. Russell received..... | 16 |
| Mrs. J. V. David received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Mrs. Russell—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Mrs. Ewing—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Mrs. David—Messrs. Cross, Dougherty, and Kelly.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mrs. D. H. Ewing received..... | 13 |
| Mrs. Lizzie T. Russell received..... | 16 |
| Mrs. J. V. David received..... | 3 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Mrs. Russell—Messrs. Beauvais, Boone, Chandler, Cross, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Mrs. Ewing—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.

For Mrs. David—Messrs. Dougherty and Kelly.

| | |
|--------------------------------------|----|
| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mrs. D. H. Ewing received..... | 13 |
| Mrs. Lizzie T. Russell received..... | 17 |
| Mrs. J. V. David received..... | 2 |

Mr. Days was paired with Mr. Reddy.

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Lowe was paired with Mr. Langford.

Mrs. Lizzie T. Russell, having received a majority of all the votes cast, was declared elected Postmistress of the Senate.

RESOLUTIONS.

By Mr. McClure:

Resolved, That the Secretary of the Senate be directed to inform the Assembly that the Senate is now organized and ready to proceed to business, with the following officers:

President pro tem.—Benjamin Knight.

Secretary—Edwin F. Smith.

Assistant Secretaries—F. J. Saxe and J. J. McCarthy.

Sergeant-at-Arms—I. G. Messec.

Assistant Sergeant-at-Arms—John Pinch.

Minute Clerk—R. G. Falk.

Journal Clerk—John F. Meagher.

Engrossing Clerk—Geo. F. Tuttle.

Enrolling Clerk—P. M. Sullivan.

Postmistress—Mrs. Lizzie T. Russell.

Adopted.

By Mr. Del Valle;

Resolved, That a committee of three be appointed to notify the Governor that the Senate is now organized and ready to receive any communication he may wish to make.

Adopted.

The President appointed as such committee, Senators Del Valle, McClure, and Kelly.

By Mr. Boone:

Resolved, That F. A. Mersereau be and he hereby is appointed Night Watchman, at a per diem to be fixed hereafter, payable out of the appropriation for the contingent expenses of the Senate.

Mr. Kellogg moved to refer the resolution to the Committee on Attachés.

Ayes and noes demanded on the motion, by Messrs. Boone, Lowe, and McClure.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Perry, Spencer of Napa, and Spencer of Stanislaus—16.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Dougherty, Hurlburt, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright—17.

Mr. Johnson of Sonoma offered the following resolution as a substitute:

Resolved, That the President of the Senate be authorized to appoint such Porters, Pages, and Watchmen as he may deem necessary; the Watchmen to be paid a per diem, to be hereafter fixed by the Senate, out of the Contingent Fund of that body.

Mr. Cross moved to lay the resolution and substitute on the table.

Ayes and noes demanded on the motion, by Senators Kellogg, Boone, and Cross.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Dougherty, Drum, Foster, Kelly, Kellogg, Knight, Lynch, Mahler, Saxe, Spencer of Napa, Spencer of Stanislaus, Wallis, and Wright—16.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Del Valle, Filcher, Hurlburt, Johnson of Sonoma, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Steele, and Whitney—17.

The question recurring on the adoption of the substitute, the ayes and noes were demanded by Messrs. Johnson of Sonoma, Boone, and Foster.

Roll called, and the substitute adopted by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Perry, Spencer of Napa, Spencer of Stanislaus, and Wallis—18.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Whitney, and Wright—15.

By Mr. Cross:

Resolved, That a committee of five on Standing Rules of the Senate be appointed by the President.

Adopted.

OATH OF OFFICE.

The officers elect now appeared and subscribed to the oath of office, administered by the President, as follows:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected to the best of my ability, so help me God.

RESOLUTIONS—(RESUMED).

By Mr. Johnson of Sonoma:

Resolved, That Miss Josie Wolfskill and Miss M. D. Scaniker be and they are hereby appointed Assistant Engraving Clerks.

Mr. Cross moved to lay the resolution on the table.

So ordered.

By Mr. Kelly:

Resolved, That Hugh J. Lynch be and is hereby appointed Assistant Minute Clerk of the Senate, at the same per diem paid to clerks at the desk, the same to be paid out of the Contingent Fund of the Senate.

Mr. McClure moved to lay the resolution on the table.

So ordered.

By Mr. Cox:

Resolved, That George W. Nichols be and he is hereby appointed Mail Carrier, at a per diem to be hereafter fixed by the Senate, payable out of the appropriation for the contingent expenses of that body.

Ayes and noes demanded on the adoption of the resolution, by Messrs. Cox, Filcher, and Lynch.

Roll called, and the resolution lost by the following vote:

AYES—Messrs. Cox, Creighton, Del Valle, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus—12.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, LeLong, Dougherty, Drum, Hurlburt, Kelly, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright—22.

The President announced, as Committee on Rules, Senators Cross, Del Valle, McClure, Johnson of Sonoma, and Whitney.

RESOLUTIONS—(RESUMED).

By Mr. Beauvais:

Resolved, That John McNulty be appointed Assistant Journal Clerk of the Senate, at a per diem to be hereafter fixed, payable out of the appropriation for contingent expenses of the Senate.

Mr. Creighton moved to lay the motion on the table.

Ayes and noes demanded on the motion, by Senators Johnson of Sonoma, Filcher, and Drum.

Roll called, with the following result:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus—16.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.—17.

At ten o'clock P. M., Mr. Knight moved to adjourn.

AYES and **NOES** demanded on the motion, by Senators Knight, Spencer of Stanislaus, and Cox.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, Wallis, and Wright.—15.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Johnson of San Bernardino, Kelly, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, and Whitney.—19.

By Mr. Lowe:

Resolved, That Guy Salisbury be and he is hereby appointed Assistant Minute Clerk of the Senate, at a per diem to be hereafter fixed, payable out of the appropriation for the contingent expenses of the Senate.

Mr. Kellogg offered the following as a substitute:

Resolved, That A. A. Taylor be and he is hereby appointed Assistant Minute Clerk of the Senate, at the same per diem as the clerks at the desk, to be paid out of the Contingent Fund of the Senate.

AYES and **NOES** demanded on the adoption of the substitute.

Roll called, and the substitute lost by the following vote:

AYES—Messrs. Cross, Dougherty, Kelly, Kellogg, Knight, Perry, and Wallis.—7.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Whitney, and Wright.—28.

Mr. Del Valle moved to lay the original motion on the table.

AYES and **NOES** demanded on the motion, by Senators McClure, Lowe, and DeLong.

The roll was called, with the following result:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Wallis.—15.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Kellogg, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright.—19.

Mr. Del Valle moved to refer the resolution to the Committee on Attachés.

AYES and **NOES** demanded on the motion, by Senators Dougherty, Kelly, and Saxe.

Roll called, with the following result:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus.—14.

NOES—Messrs. Beauvais, Boone, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.—19.

At ten o'clock and fifteen minutes P. M., Mr. Del Valle moved to adjourn.

AYES and **NOES** demanded on the motion, by Senators Spencer of Napa, Filcher, and Johnson of Sonoma.

Roll called, and motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, and Wallis—15.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright—20.

Mr. Johnson of Sonoma offered the following as a substitute:

Resolved, That Emanuel Galewsky be and he is hereby appointed Assistant Minute Clerk, at a per diem to be hereafter fixed by the Senate, payable out of the appropriation for the contingent expenses of that body.

Ayes and noes demanded on the adoption of the substitute, by Senators Johnson of Sonoma, Spencer of Stanislaus, and Filcher.

Mr. Cross moved to postpone the resolution until Monday, January 19, 1885.

Ayes and noes demanded on the motion, by Senators Johnson of Sonoma, Saxe, and Filcher.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Kelly, Kellogg, Lynch, Mahler, Perry, Spencer of Napa, and Spencer of Stanislaus—14.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Foster, Hurlburt, Johnson of Sonoma, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright—17.

By Mr. Perry, by consent:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to receive from the Controller the warrants due the officers and members of the Senate and receipt therefor.

Adopted.

ADJOURNMENT.

At ten o'clock and twenty-five minutes p. m., Mr. Lynch moved to adjourn until to-morrow, at eleven o'clock a. m.

Ayes and noes demanded on the motion, by Messrs. Days, McClure, and Lowe.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Wright—18.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, and Whitney—16.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, January 17, 1885. }

The Senate met at eleven o'clock a. m., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Wright.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Perry, Filcher, and Whitney.

Journal of yesterday partially read.

Mr. Days moved that further reading of the Journal be dispensed with.

Lost.

Reading of Journal resumed.

COMMITTEE REPORT—(OUT OF ORDER).

The committee appointed to wait on the Governor made verbal report, by Mr. Del Valle, Chairman, that they had communicated with the Governor, and that he would transmit his message at an early hour.

Reading of Journal resumed.

On motion of Mr. Del Valle, further reading of the Journal was dispensed with.

Journal approved.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, January 17, 1885. }

To the Senate of the State of California :

MR. PRESIDENT: I have the honor to herewith transmit my first biennial message.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

Message partially read, and on motion of Senator Lynch, further reading was dispensed with and one thousand copies ordered printed.

RESOLUTION.

By Mr. DeLong:

Resolved, That all further officers and attachés that may be considered necessary for the complete organization and efficiency of the work of this Senate shall be formally nominated and elected in the same manner that the officers and attachés provided for by the statutes are nominated and elected.

Mr. Del Valle moved that the further consideration of this resolution be postponed until twelve o'clock and twenty minutes P. M.

Carried.

REPORT OF STANDING COMMITTEES.

ON RULES.

MR. PRESIDENT: Your Committee on Standing Rules of the Senate beg leave to report the following:

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate shall be eleven o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting, and a recess shall be taken from twelve o'clock and thirty minutes to two P. M.; *provided*, that on Mondays the time of meeting shall be one o'clock and thirty minutes P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate. When the Senate is equally divided, the Secretary shall take the decision of the President.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any or all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund: and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill, shall rise in his place and address the President, and upon being recognized, shall present the same, and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by a vote of ayes and noes, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote.

VII.—THE GENERAL FILE: ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes p. m., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State Government and State institutions, revenue, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

X.—BILLS ENGROSSED TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI.—ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill, requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following Standing Committees shall be appointed:

1. Committee on Agriculture, to consist of nine members.
2. Committee on Claims, to consist of seven members.
3. Committee on Commerce and Navigation, to consist of five members.
4. Committee on Attachés, Contingent Expenses, and Mileage, to consist of five members.
5. Committee on Corporations, to consist of nine members.
6. Committee on Counties, County Governments, and Township Organization, to consist of seven members.
7. Committee on Education, to consist of seven members.
8. Committee on Engrossed Bills, to consist of six members.
9. Committee on Enrolled bills, to consist of six members.
10. Committee on Federal Relations, to consist of five members.

11. Committee on Finance, to consist of seven members.
12. Committee on Hospitals, to consist of five members.
13. Committee on Judiciary, to consist of fifteen members.
14. Committee on Military Affairs, to consist of seven members.
15. Committee on Mines, Drainage, and Mining Debris, to consist of seven members.
16. Committee on Public Buildings other than Prison Buildings, to consist of seven members.
17. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
18. Committee on Public Morals, to consist of three members.
19. Committee on Public Printing, to consist of three members.
20. Committee on Roads and Highways, to consist of seven members.
21. Committee on State Library, to consist of three members.
22. Committee on State Prison and Prison Buildings, to consist of nine members.
23. Committee on Irrigation and Water Rights, to consist of nine members.
24. Committee on Fish and Game, to consist of five members.
25. Committee on Elections, to consist of seven members.
26. Committee on City, City and County, and Town Governments, to consist of seven members.
27. Committee on Labor and Capital, to consist of five members.
28. Committee on Chinese and Chinese Immigration, to consist of seven members.
29. Committee on Apportionment and Representation, to consist of nine members.
30. Committee on Forestry and Yosemite Valley and Mariposa Big Tree Grove, to consist of five members.

XVII.—COMMITTEES APPOINTED BY PRESIDENT, UNLESS OTHERWISE ORDERED.

All committees of the Senate, special and standing, and all joint committees on the part thereof, shall be appointed by the President, unless otherwise specially ordered.

XVIII.—COMMITTEE TO OBTAIN CONSENT OF SENATE FOR OFFICERS.

No committee, standing or special, shall elect a clerk or Sergeant-at-Arms without first obtaining the consent of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses. This rule has no application to the election of attachés of the Senate.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave: and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR, WHEN CALLED TO ORDER, MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES; MEMBERS MUST ANSWER; NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL; VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper, presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the Senators present, except that portion of Rule Six relating to the final passage of bills; all proposed amendments to these rules shall be referred to the Committee on Rules without debate.

XXXVI.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XL.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, or while the ballots are being counted.

XLI.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, State officers, officers of the two Houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator, and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Three hundred and sixty copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and six copies to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate Bills shall, after their final passage by, and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate, to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and, also, a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

CROSS, Chairman.

RULES.

Rule One read.

Mr. Del Valle moved that the words "daily at" be added after the word "be" on line one.

Amendment adopted on a division—ayes, 13; noes, 11.

Rules Two to Thirty-five, inclusive, read.

The hour of recess having arrived, Mr. Cross moved that no recess be taken, but that the Senate adjourn at one o'clock and thirty minutes P. M.

Carried.

Mr. Days moved that the special order of twelve o'clock and twenty minutes be postponed until after the adoption of the rules.

Carried.

Rules Thirty-six to Forty-nine, inclusive, read.

Mr. Knight moved a reconsideration by which Rule One was adopted.

Motion carried on a division—ayes, 18; noes, 7.

Mr. Cross moved to strike out the words "daily at" after the word "be" on line one, Rule One.

Motion carried on a division—ayes, 16; noes, 10.

Mr. Days moved to amend Rule Forty-eight by striking out the words "unless the previous question has been sustained."

Carried.

Mr. Knight moved to amend Rule Eight by inserting after the word "appropriations" the words "For the support of the State Government and the State institutions."

Carried.

Mr. Knight moved that the report of the Committee on Rules as amended be adopted.

Carried.

Mr. Cross moved to have seven hundred and twenty copies of the rules as amended printed.

Carried.

Mr. DeLong withdrew his resolution.

The President announced the following appointments:

Pages—James Coffroth, desk; A. Lasey, Willie Jobson, Georgie Faylor, and Johnny Mandeville, to Sergeant-at-Arms.

Porters—Carter Jackson, to Sergeant-at-Arms; E. Clarke, rear; J. D. Farrell, Senate; Charles Robinson, and Nicholas Drascovitch, gallery.

Watchmen—Hank Jones, gallery; George Swift, Charles Connell, and James Toohey, Senate.

Mr. Johnson of Sonoma moved to take from the table the following resolution:

Resolved, That Miss Josie Wolfskill and Miss M. D. Scaniker be and they are hereby appointed Assistant Engrossing Clerks.

Carried.

Resolution adopted.

Mr. Cox introduced the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be empowered to employ a clerk for his office at a per diem to be fixed, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

By Mr. Days:

Resolved, That the Sergeant-at-Arms be and he is hereby empowered and instructed to appoint D. E. Osborn and T. Phillips as Gatekeepers, one for each side of the Senate Chamber, at a per diem to be hereafter fixed by the Senate.

Mr. Cox offered the following as an amendment:

Resolved, That William Battersby and M. Marks be and they are hereby appointed Gatekeepers, at a per diem to be hereafter fixed by the Senate, payable out of the Contingent Fund of that body.

Mr. Cross moved as a substitute that the two Gatekeepers be elected by a vote of the Senate.

Carried.

GATEKEEPERS.

Mr. Knight nominated Jackson Carter.

Mr. Drum nominated Wm. Battersby.

Mr. Parkinson nominated P. A. Casey.

Mr. Cox nominated M. Marks.

Mr. Dougherty nominated Wm. McGann.

Mr. Cross nominated Richard Parker.

Mr. Days nominated T. Phillips.

Mr. Days nominated D. E. Osborn.

Mr. Parker nominated Daniel Coughlan.

Mr. Wallis nominated E. Downer.

The roll was called, with the following result:

For Osborn and Phillips—Messrs. Beauvais, Boone, Days, Parker, Saxe, Steele, and Wright.
For McGann and Parker—Mr. Chandler.
For Battersby and Marks—Messrs. Cox, Creighton, Del Valle, Drum, Foster, Johnson of Sonoma, Knight, Mahler, Spencer of Napa, and Spencer of Stanislaus.
For Parker and Downer—Messrs. Cross and Wallis.
For Osborn and McGann—Messrs. DeLong, Hurlburt, and Routier.
For McGann and Downer—Messrs. Dougherty and Kelly.
For Battersby and Downer—Mr. Kellogg.
For McGann and Casey—Mr. Parkinson.

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| Whole number of votes cast..... | 27 |
| Necessary to a choice..... | 14 |
| Mr. William Battersby received..... | 13 |
| Mr. P. A. Casey received..... | 1 |
| Mr. M. Marks received..... | 10 |
| Mr. William McGann received..... | 6 |
| Mr. Richard Parker received..... | 3 |
| Mr. D. E. Osborn received..... | 10 |
| Mr. T. Phillips received..... | 7 |
| Mr. Daniel Coughlin received..... | 0 |
| Mr. E. Downer received..... | 3 |

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Palmieri was paired with Mr. Lynch.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Osborn and McGann—Messrs. Beauvais, Days, DeLong, Hurlburt, Routier, Saxe, Steele, and Wright.
For Parker and Casey—Messrs. Boone, Cross, Parker, and Parkinson.
For Marks and McGann—Mr. Chandler.
For Battersby and Marks—Messrs. Cox, Creighton, Del Valle, Drum, Foster, Johnson of Sonoma, Kellogg, Knight, Mahler, Spencer of Napa, and Spencer of Stanislaus.
For Battersby and McGann—Messrs. Dougherty and Kelly.
For Parker and Downer—Mr. Wallis.

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| Whole number of votes cast..... | 27 |
| Necessary to a choice..... | 14 |
| Mr. William Battersby received..... | 13 |
| Mr. P. A. Casey received..... | 4 |
| Mr. M. Marks received..... | 12 |
| Mr. William McGann received..... | 11 |
| Mr. Richard Parker received..... | 5 |
| Mr. D. E. Osborn received..... | 7 |
| Mr. E. Downer received..... | 1 |

Mr. Vrooman was paired with Mr. Taylor.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Palmieri was paired with Mr. Lynch.

Mr. Del Valle moved that the election of Gatekeepers be postponed until Monday, January 19, 1885, immediately after the reading of the Journal.

Ayes and noes demanded on the motion, by Senators Routier, DeLong, and Wallis.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Wright—25.

NOES—Messrs. Beauvais, Johnson of San Bernardino, Kelly, and Wallis—4.

Mr. Del Valle offered the following resolution:

Resolved, That the following officers and attachés of the Senate be and they are hereby allowed two weeks' pay at the per diem allowed by law, and at the last regular session of the Senate, payable out of the Contingent Fund of the Senate:

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| A. A. Taylor | Minute Clerk. |
| R. G. Falk | Assistant Minute Clerk. |
| J. J. McCarthy | Assistant Secretary. |
| R. O. Cravens | Assistant Secretary. |
| J. F. Meagher | Journal Clerk. |
| Miss Jennie Nyrod | Assistant Journal Clerk. |
| Mrs. J. V. David | Postmistress. |
| John Finch | Assistant Sergeant-at-Arms. |
| Nathaniel Jones | Gatekeeper. |
| Wm. McGann | Gatekeeper. |
| J. D. Farrell | Floor Porter. |
| H. S. Farrell | Floor Porter. |
| Carter Jackson | Sergeant-at-Arms Porter. |
| Daniel Coughlin | Day Watchman. |
| James Costello | Night Watchman. |
| Hank Jones | Gallery Watchman. |
| J. W. Coffroth | Page. |
| James Cronin | Page. |
| John Toomey | Page. |
| J. Goldstein | Page. |
| D. Longshore | Page. |
| Thos. McGann | Mail Carrier. |
| E. W. McGuire | Rear Porter. |

Adopted.

ADJOURNMENT.

At one o'clock and thirty minutes P. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 19, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence granted to Senators Lowe, Cox, and Baldwin.

Mr. Cross asked leave to make a motion out of order.

Granted.

Mr. Cross moved that the Committee on Commerce and Navigation be increased from five to seven members.

Carried.

ELECTION OF GATEKEEPERS.

The election of Gatekeepers being in order, the Secretary announced the names of the candidates, and proceeded to call the roll, with the following result:

For Parker and Phillips—Messrs. Beauvais, Hurlburt, and Perry.
For McGann and Parker—Messrs. Boone, Chandler, Days, Parker, Parkinson, Routier, Saxe, Wallis, and Wright.
For Battersby and Marks—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.
For Parker and Casey—Mr. Cross.
For McGann and Phillips—Messrs. DeLong, Steele, and Whitney.
For McGann and Battersby—Messrs. Dougherty, Kelly, and Knight.
For Osborn and Phillips—Messrs. McClure and Palmieri.

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| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. William Battersby received | 16 |
| Mr. P. A. Casey received | 1 |
| Mr. M. Marks received | 13 |
| Mr. William McGann received | 15 |
| Mr. Richard Parker received | 13 |
| Mr. D. E. Osborn received | 2 |
| Mr. T. Phillips received | 8 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker and Phillips—Mr. Beauvais.
For Parker and McGann—Messrs. Boone, Chandler, Days, Hurlburt, Parker, Parkinson, and Wright.
For Battersby and Marks—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.
For Parker and Casey—Mr. Cross.
For Phillips and McGann—Messrs. DeLong, Palmieri, Perry, Routier, Saxe, Steele, and Whitney.
For McGann and Battersby—Messrs. Dougherty, Kelly, and Knight.
For Battersby and Phillips—Mr. Kellogg.
For Osborn and Phillips—Mr. McClure.
For Parker and Osborn—Mr. Wallis.

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| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. Wm. Battersby received | 16 |
| Mr. P. A. Casey received | 1 |
| Mr. M. Marks received | 12 |
| Mr. Wm. McGann received | 18 |
| Mr. Richard Parker received | 11 |
| Mr. T. Phillips received | 8 |
| Mr. D. E. Osborn received | 2 |

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. Vrooman was paired with Mr. Cox.

Wm. McGann, having received a majority of all the votes cast, was declared elected Gatekeeper of the Senate.

There being no choice for the second Gatekeeper, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Whitney, and Wright.

For Battersby—Messrs. Creighton, Del Valle, Dougherty, Drum, Filcher, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Parker—Messrs. Cross, Hurlburt, Routier, and Wallis.

For Marks—Messrs. Foster, Johnson of Sonoma, and Taylor.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. William Battersby received..... | 13 |
| Mr. M. Marks received..... | 3 |
| Mr. Richard Parker received..... | 4 |
| Mr. T. Phillips received..... | 14 |

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, McClure, Palmieri, Parker, Parkinson, Perry, Saxe, Steele, Wallis, Whitney, and Wright.

For Battersby—Messrs. Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Parker—Messrs. Cross, Hurlburt, and Routier.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. William Battersby received..... | 16 |
| Mr. Richard Parker received..... | 3 |
| Mr. T. Phillips received..... | 15 |

Mr. Johnson of San Bernardino was paired with Mr. Baldwin.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Battersby—Messrs. Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Parker—Mr. Cross.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Battersby received..... | 16 |
| Mr. Parker received..... | 1 |
| Mr. Phillips received..... | 17 |

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Battersby—Messrs. Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Parker—Mr. Cross.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Battersby received..... | 16 |
| Mr. Parker received..... | 1 |
| Mr. Phillips received..... | 17 |

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. Cox was paired with Mr. Vrooman.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Battersby—Messrs. Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Parker—Mr. Perry.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Battersby received..... | 17 |
| Mr. Parker received..... | 1 |
| Mr. Phillips received..... | 16 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Phillips—Messrs. Beauvais, Boone, Chandler, Days, DeLong, McClure, Palmieri, Parker, Parkinson, Saxe, Steele, Whitney, and Wright.

For Battersby—Messrs. Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Parker—Messrs. Hurlburt, Perry, Routier, and Wallis.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Battersby received..... | 17 |
| Mr. Phillips received..... | 13 |
| Mr. Parker received..... | 4 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Parker—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Hurlburt, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Battersby—Messrs. Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Parker received..... | 18 |
| Mr. Battersby received..... | 16 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Baldwin was paired with Mr. Johnson of San Bernardino.

Mr. Parker, having received a majority of all the votes cast, was declared elected Gatekeeper.

RESOLUTION.

By Mr. Johnson of Sonoma :

Resolved, That M. B. Bransford and W. H. Kroning be and they are hereby appointed Assistant Journal Clerks, at a per diem to be hereafter fixed by the Senate, payable out of the Contingent Fund of that body.

Mr. Beauvais offered the following as an amendment :

Resolved, That the Senate now proceed to the election of two Assistant Journal Clerks.

Carried.

ELECTION OF ASSISTANT JOURNAL CLERKS.

Mr. Beauvais nominated John McNulty.

Mr. Whitney nominated C. S. McMullen.

Mr. Johnson of Sonoma nominated M. B. Bransford.

Mr. Johnson of Sonoma nominated W. H. Kroning.

The Secretary proceeded to call the roll, with the following result :

For Bransford and Kroning—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For McNulty and McMullen—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Bransford and McNulty—Mr. Cross.

For Bransford and Kellum—Mr. Kelly.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. John McNulty received..... | 20 |
| Mr. McMullen received..... | 19 |
| Mr. Kroning received..... | 15 |
| Mr. Bransford received..... | 17 |
| Mr. Kellum received..... | 1 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Langford was paired with Mr. Lowe.

Messrs. John McNulty and C. S. McMullen, having received a majority of all the votes cast, were declared elected Assistant Journal Clerks.

ASSISTANT MINUTE CLERK.

Mr. Johnson of Sonoma nominated E. Galewsky.

Mr. Saxe nominated G. H. Saulsbury.

Mr. Cross nominated Joseph Miller.

The Secretary proceeded to call the roll, with the following result:

For Galewsky—Messrs. Baldwin, Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Saulsbury—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Whitney, and Wright.

For Miller—Messrs. Cross, Kelly, and Wallis.

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| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Guy H. Saulsbury received..... | 17 |
| Mr. E. Galewsky received..... | 14 |
| Mr. Joseph Miller received..... | 3 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Galewsky—Messrs. Baldwin, Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus.

For Saulsbury—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Miller—Messrs. Cross and Kelly.

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|------------------------------------|----|
| Whole number of votes cast | 34 |
| Necessary to a choice | 18 |
| Mr. G. H. Saulsbury received | 19 |
| Mr. E. Galewsky received | 13 |
| Mr. J. Miller received | 2 |

Mr. Lowe was paired with Mr. Langford.

Mr. McClure was paired with Mr. Taylor.

Mr. Vrooman was paired with Mr. Cox.

Mr. G. H. Saulsbury, having received a majority of all the votes cast, was declared elected Assistant Minute Clerk.

MAIL CARRIER.

Mr. Taylor moved to proceed to the election of a Mail Carrier.
Carried.

Mr. McClure nominated Jos. Pinkard.

Mr. Dougherty nominated P. Casey.

Mr. Johnson of Sonoma nominated Geo. W. Nichols.

The Secretary proceeded to call the roll, with the following result:

For Nichols—Messrs. Baldwin, Creighton, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Pinkard—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, McClure, Palmieri, Parker, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Casey—Messrs. Dougherty, Drum, Kelly, Parkinson, and Perry.

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|--------------------------------------|----|
| Whole number of votes cast | 36 |
| Necessary to a choice | 19 |
| Mr. Joseph Pinkard received | 17 |
| Mr. P. Casey received | 5 |
| Mr. George W. Nichols received | 14 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Nichols—Messrs. Baldwin, Creighton, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Pinkard—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, McClure, Palmieri, Parker, Routier, Steele, Wallis, Whitney, and Wright.

For Casey—Messrs. Dougherty, Drum, Kelly, Parkinson, Perry, and Saxe.

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|----------------------------------|----|
| Whole number of votes cast | 36 |
| Necessary to a choice | 19 |
| Mr. Pinkard received | 16 |
| Mr. Nichols received | 14 |
| Mr. Casey received | 6 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Nichols—Messrs. Baldwin, Creighton, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Pinkard—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San

Bernardino, Kellogg, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Casey—Messrs. Dougherty, Drum, Kelly, and Perry.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Pinkard received..... | 18 |
| Mr. Nichols received..... | 14 |
| Mr. Casey received..... | 4 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Nichols—Messrs. Baldwin, Creighton, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Pinkard—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Casey—Messrs. Dougherty, Drum, Kelly, and Perry.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Pinkard received..... | 18 |
| Mr. Casey received..... | 4 |
| Mr. Nichols received..... | 14 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Nichols—Messrs. Baldwin, Creighton, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Pinkard—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Casey—Messrs. Dougherty, Drum, Kelly, and Perry.

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|---------------------------------|----|
| Whole number of votes cast..... | 36 |
| Necessary to a choice..... | 19 |
| Mr. Pinkard received..... | 19 |
| Mr. Casey received..... | 4 |
| Mr. Nichols received..... | 13 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

Mr. Pinkard, having received a majority of all the votes cast, was elected Mail Carrier.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, organized by the election of the following officers:

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|---------------------------------|--|
| Speaker..... | W. H. Parks. |
| Speaker pro tem..... | J. H. G. Weaver. |
| Chief Clerk..... | Frank D. Ryan. |
| Assistant Clerks..... | C. F. Long, Aaron Smith, and Ed. J. Smith. |
| Sergeant-at-Arms..... | Jerome Porter. |
| Assistant Sergeant-at-Arms..... | A. F. Chapman. |
| Minute Clerk..... | Thomas E. Atkinson. |
| Assistant Minute Clerk..... | R. D. Cannon. |

Journal Clerk Frank J. Brandon.
 Assistant Journal Clerk Frank W. Marston.
 Engrossing Clerk Jacob Shaen.
 Postmistress Mrs. L. C. Stratton.
 Chaplain Rev. Carroll M. Davis.

And that the Assembly awaits the pleasure of the Senate.

FRANK D. RYAN, Chief Clerk.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 10—Relative to the establishment of a branch of the National Home for Disabled Volunteer Soldiers.

F. D. RYAN, Chief Clerk.

Mr. Cross moved that when the introduction of bills is in order that the roll of Senators be called alphabetically, and that each Senator introduce his bills in that order.

Ayes and noes demanded on the motion, by Senators DeLong, Reddy, and Knight.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Mahler, McClure, Parker, Saxe, Steele, Wallis, Whitney, and Wright—20.

NOES—Messrs. Beauvais, Boone, Foster, Kellogg, Knight, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Taylor—14.

Mr. Boone moved that Assembly Concurrent Resolution No. 10 be now considered.

Mr. Del Valle moved to amend by referring to Hospital Committee.
 So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Baldwin: Senate Bill No. 1—An Act to amend section one thousand three hundred and sixty of the Civil Code of California, and prescribe the order in which the property of a testator must be resorted to for the legacies.

Referred to Committee on Judiciary.

By Mr. Creighton: Senate Bill No. 2—An Act to prohibit aliens, who have not declared their intentions to become citizens of the United States, from receiving license to drive and from driving any vehicle, for the driving of which a license is required by law.

Referred to Committee on Judiciary.

By Mr. Days: Senate Bill No. 3—An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor electoral districts.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 4—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Referred to Committee on Judiciary.

Also, Senate Bill No. 5—An Act amending sections one, four, and ten, of article thirteen, of the Constitution.

Referred to Committee on Judiciary.

Also, Senate Bill No. 6—An Act to provide for the payment into the treasuries of counties, and cities and counties, certain fees and percentages collected by Sheriffs of said counties and cities and counties.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 7—An Act to propose an amendment to article twenty of the Constitution of the State of California, in relation to miscellaneous subjects, by adding a new section thereto, to be known as section twenty-one, in relation to the equalization of electoral districts.

Referred to Committee on Judiciary.

Also, Senate Bill No. 8—An Act to amend sections one thousand nine hundred and sixty-nine and one thousand nine hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to obligations of the employer.

Referred to Committee on Judiciary.

Also, Senate Bill No. 9—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as section sixty-three.

Referred to Committee on Judiciary.

Also, Senate Bill No. 10—An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property.

Referred to Committee on Judiciary.

Also, Senate Bill No. 11—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relating to the advertisement of the capital of insurance corporations.

Referred to Committee on Judiciary.

Also, Senate Bill No. 12—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Referred to Committee on Judiciary.

Also, Senate Bill No. 13—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Referred to Committee on Judiciary.

Also, Senate Bill No. 14—An Act to amend sections one thousand three hundred and fifty-seven and one thousand three hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add four new sections thereto, to be known as sections one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, and one thousand three hundred and sixty-nine—all relating to political primary elections.

Referred to Committee on Judiciary.

By Mr. DeLong: Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools.

Referred to Committee on Education.

Also, Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Referred to Committee on Education.

Also, Senate Bill No. 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture and appropriate money for the expenses thereof," approved March 13, 1883.

Referred to Committee on Agriculture.

Also, Senate Bill No. 18—An Act to provide for the publication of monthly crop and stock reports, by the State Board of Agriculture.

Referred to Committee on Agriculture.

By Mr. Del Vaile: Senate Bill No. 19—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-eight, one thousand four hundred and eighty-nine, one thousand four hundred and ninety, one thousand four hundred and ninety-one, one thousand four hundred and ninety-two, one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, and one thousand five hundred and seven, and to repeal section one thousand five hundred and six of the Political Code, relating to State Normal Schools, and the organization, powers, and duties of Boards of Trustees of such schools.

Referred to Committee on Education.

By Mr. Dougherty: Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Dougherty: Senate Bill No. 21—An Act to authorize the Board of State Harbor Commissioners to pay the claims of John S. Wilkins.

Referred to Committee on Claims.

By Mr. Filcher: Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

Referred to Committee on Judiciary.

Also, Senate Bill No. 23—An Act to provide for the exhibition of the State minerals at the World's Fair, in New Orleans.

Referred to Committee on Mines.

Also, Senate Bill No. 24—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Johnson of Sonoma: Senate Bill No. 25—An Act to amend section one thousand seven hundred and six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Referred to Committee on Judiciary.

By Mr. Lynch: Senate Bill No. 26—An Act to regulate life and accidental insurance.

Referred to Committee on Judiciary.

Also, Senate Bill No. 27—An Act to insure the better education of

practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Referred to the Committee on Hospitals.

By Mr. McClure: Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

Referred to the Committee on Judiciary.

Also, Senate Bill No. 29—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also, Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Political Code, and to provide for exceptions in criminal cases.

Referred to Committee on Judiciary.

By Mr. Perry: Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven of article nine of the Constitution, relating to text-books.

Referred to Committee on Education.

Also, Senate Bill No. 32—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a third assistant.

Referred to Committee on Judiciary.

By Mr. Perry: Senate Bill No. 33—An Act to regulate the sale and use of opium, or any preparation thereof.

Referred to Committee on Judiciary.

Also, Senate Bill No. 34—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial.

Referred to Committee on Judiciary.

Also, Senate Bill No. 35—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for its support by the issuance of bonds; and to determine what portion of old county debts is chargeable to such new county.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 36—An Act for the relief of Mrs. A. J. F. Phelan.

Referred to Committee on Claims.

By Mr. Reddy: Senate Bill No. 37—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilizations of water for agricultural purposes and other beneficial uses made in the State, under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage, and of all claims of right based upon appropriations, diversions, utilizations, laws, or customs; to provide for the recording thereof, according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts for the year in each case.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 38—An Act to provide for the organization and control of water and irrigation districts.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 39—An Act to amend section four thousand four hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the definition and sources of the law.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 40—An Act entitled an Act to repeal section one thousand four hundred and twenty-two of the Civil Code.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 41—An Act to amend the Constitution—relating to section one, article fourteen.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 42—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Referred to Committee on Hospitals.

Also, Senate Bill No. 43—An Act to amend section one hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualifications of jurors.

Referred to Committee on Judiciary.

Also, Senate Bill No. 44—An Act to amend section one thousand one hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to liens of mechanics and others upon real property.

Referred to Committee on Judiciary.

By Mr. Routier: Senate Bill No. 45—An Act to repeal section sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the marriage of white persons with negroes or mulattoes.

Referred to Committee on Public Morals.

Also, Senate Bill No. 46—An Act to amend section sixty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the issuance of marriage licenses.

Referred to Committee on Judiciary.

By Mr. Spencer of Napa: Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Referred to Committee on Hospitals.

By Mr. Steele: Senate Bill No. 48—An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors.

Referred to Committee on Judiciary.

By Mr. Whitney: Senate Bill No. 49—An Act concerning common carriers of water and to define their duties.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the rights to its use.

Referred to Committee on Irrigation and Water Rights.

Also, Senate Bill No. 51—An Act to amend section four hundred and thirty-three of the Political Code, relative to the duties of the Controller.

Referred to Committee on Judiciary.

Also, Senate Bill No. 52—An Act to provide for the erection of

buildings for the custody of insane criminals and persons charged with crime, and to appropriate money therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also, Senate Bill No. 53—An Act amending sections one, four, and ten, of article thirteen, of the Constitution.

Referred to Committee on Judiciary.

Also, Senate Bill No. 54—An Act to authorize the establishment of a quarantine station for the Harbor of San Francisco, and to appropriate money therefor.

Referred to Committee on Hospitals.

By Mr. Cross: Senate Bill No. 55—An Act to amend section six hundred and ninety of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Knight: Senate Bill No. 56—An Act to promote agricultural industry.

Referred to Committee on Agriculture.

Also, Senate Bill No. 57—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

Also, Senate Bill No. 58—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundary, and whatever is necessary thereto.

Referred to Committee on City, City and County, and Town Governments.

CONCURRENT RESOLUTIONS.

By Mr. Days: Senate Concurrent Resolution No. 1—Relative to the election of United States Senators.

Referred to Committee on Federal Relations.

By Mr. Spencer of Napa: Senate Concurrent Resolution No. 2—Relating to viticultural industries.

Referred to Committee on Agriculture.

By Mr. Taylor: Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan in collections of claims due the State of California from the United States.

Referred to Committee on Federal Relations.

By Mr. Perry: Senate Concurrent Resolution No. 4—Relative to moneys in the possession of the Attorney-General and other officials.

Referred to Committee on Judiciary.

Also, Senate Concurrent Resolution No. 5—Relating to the reformation of youthful criminals, and to properly care for discharged prisoners.

Referred to Committee on State Prisons and Prison Buildings.

By Mr. Whitney: Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Referred to Committee on Chinese and Chinese Immigration.

By Mr. Reddy: Senate Concurrent Resolution No. 7—Relating to the protection and promotion of the viticultural industries of the State of California and other States of the Union.

Referred to Committee on Agriculture.

By Mr. Johnson of San Bernardino: Senate Concurrent Resolution No. 8—Relating to the tariff on raisins.
Referred to Committee on Federal Relations.

RESOLUTIONS.

Mr. Perry introduced the following resolution :

Resolved, That each member be allowed the sum of twenty-five dollars for contingent expenses, payable out of the fund for the contingent expenses of the Senate.

Referred to Committee on Contingent Expenses and Mileage.
Also :

Resolved, That the sum of six hundred dollars be and is hereby appropriated in favor of T. L. Thompson, Secretary of State, for the purchase of postage stamps for the use of members of the Senate: said sum to be paid out of the appropriation for the contingent expenses of the Senate, and deducted from the twenty-five dollars allowed (pro rata) each Senator. The Secretary of State is hereby directed to keep an account of the postage stamps furnished each member, and report the same before the close of the session.

Referred to Committee on Contingent Expenses and Mileage.

Mr. Wright moved that the Senate proceed to the election of a Chaplain, the per diem to be fixed by the Committee on Contingent Expenses and Mileage.

Ayes and noes demanded on the motion, by Senators Knight, Spencer of Stanislaus, and Taylor.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, DeLong, Drum, Hurlburt, Johnson of Sonoma, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Wallis, Whitney, and Wright—22.

NOES—Messrs. Baldwin, Cox, Days, Filcher, Foster, Johnson of San Bernardino, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Taylor—11.

ELECTION OF CHAPLAIN.

Mr. Wright nominated Rev. J. F. Trefren.

Mr. Steele nominated Rev. H. J. Becker.

Mr. Johnson of Sonoma nominated Rev. E. B. Ware.

Mr. Lynch nominated Rev. H. Cox.

The Secretary proceeded to call the roll, with the following result:

For Trefren—Messrs. Beauvais, DeLong, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmieri, Parker, Perry, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Becker—Messrs. Boone, Chandler, Cross, and Parkinson.

For Cox—Messrs. Creighton and Lynch.

For Ware—Messrs. Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

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| Whole number of votes cast..... | 32 |
| Necessary to a choice..... | 17 |
| Mr. Trefren received..... | 15 |
| Mr. Becker received..... | 4 |
| Mr. Cox received..... | 2 |
| Mr. Ware received..... | 11 |

Mr. Vrooman was paired with Mr. Cox.

Mr. Langford was paired with Mr. Lowe.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Trefren—Messrs. Beauvais, Boone, Chandler, DeLong, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmieri, Parker, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Becker—Messrs. Cross, Parkinson, and Steele.

For Ware—Messrs. Creighton, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Cox—Mr. Lynch.

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| Whole number of votes cast..... | 33 |
| Necessary to a choice..... | 17 |
| Mr. Trefren received..... | 16 |
| Mr. Becker received..... | 3 |
| Mr. Ware received..... | 13 |
| Mr. Cox received..... | 1 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

There being no choice, the Secretary proceeded to call the roll, with the following result:

For Ware—Messrs. Baldwin, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Trefren—Messrs. Beauvais, Boone, Chandler, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright.

For Becker—Messrs. Cross and Steele.

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|---------------------------------|----|
| Whole number of votes cast..... | 34 |
| Necessary to a choice..... | 18 |
| Mr. Trefren received..... | 18 |
| Mr. Becker received..... | 2 |
| Mr. Ware received..... | 14 |

Mr. Lowe was paired with Mr. Langford.

Mr. Vrooman was paired with Mr. Cox.

Rev. Mr. Trefren, having received a majority of all the votes cast, was declared elected Chaplain.

Mr. Boone moved that Assembly Concurrent Resolution No. 10 be now taken up and considered.

Carried.

Assembly Concurrent Resolution No. 10—Relative to the establishment of a branch of the National Home for Disabled Volunteer Soldiers.

Adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That each standing committee of the Senate be entitled to have one clerk, and the Judiciary Committee two clerks; such clerks to draw pay from the time their appointment is filed with the Secretary by the Chairman of the committee.

Adopted.

Mr. Parker moved that the Senate proceed to the election of a Page to the Postmistress.

Ayes and noes demanded by Senators Parker, Boone, and Foster.

Mr. Parkinson moved that the motion be indefinitely postponed.

Ayes and noes demanded by Senators Kellogg, Boone, and Johnson of San Bernardino.

Roll called, and the motion to indefinitely postpone carried by the following vote:

AYES—Messrs. Baldwin, Del Valle, Drum, Filcher, Hurlburt, Johnson of Sonoma, Kelly, Knight, Langford, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, and Wallis—20.

NOES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Foster, Johnson of San Bernardino, Kellogg, McClure, Palmieri, Parker, Spencer of Napa, Whitney, and Wright—17.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Spencer of Napa, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 20, 1885. }

The Senate met at eleven o'clock A. M.; pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

OATH OF OFFICE.

The officers elect (not already sworn) came forward and subscribed to the oath of office, administered by the President, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected to the best of my ability, so help me God.

Journal of yesterday read and approved.

Hon. Benjamin Knight, President pro tem., in the chair.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Cox.

The President announced the following standing committee of the Senate:

STANDING COMMITTEE OF THE SENATE.

On Attachés, Contingent Expenses, and Mileage—Lynch, Chairman; Del Valle, Mahler, Parker, and Wallis.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, January 20, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have the honor to herewith transmit to the Senate the report of the State Engineer for the years 1883 and 1884, concerning the work of his department for that period, and embracing the subject of irrigation.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

Referred to Committee on Irrigation and Water Rights.

Also, message from the Governor, transmitting a list of appointments made since the last regular session of the Legislature.

Mr. Del Valle moved that the consideration of the gubernatorial appointments be made the special order for Thursday, January 22, 1885, at three o'clock and thirty minutes P. M.

Carried.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Days: Senate Bill No. 59—An Act amending section six, of article four, of the Constitution of the State of California, in relation to the election of members of the Legislature.

Referred to Committee on Judiciary.

Also, Senate Bill No. 60—An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school text-books.

Referred to Committee on Education.

By Mr. Johnson of Sonoma: Senate Bill No. 61—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

Also, Senate Bill No. 62—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public.

Referred to Committee on Judiciary.

By Mr. Reddy: Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872.

Referred to Committee on Mines.

By Mr. Lowe: Senate Bill No. 64—An Act to amend the Civil Code of the State of California, relating to marriages, by repealing section seventy-five of said Code.

Referred to Committee on Judiciary.

Also, Senate Bill No. 65—An Act to amend section two hundred and eighty-seven, chapter one, title five, of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also, Senate Bill No. 66—An Act to provide for making proof of wills during the lifetime of testator.

Referred to Committee on Judiciary.

Also, Senate Bill No. 67—An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets within municipalities.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Boone: Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks.

Referred to Committee on Judiciary.

Also, Senate Bill No. 69—An Act to amend article three, chapter seven, title seven, of the Political Code, relative to trademarks.

Referred to Committee on Judiciary.

Also, Senate Bill No. 70—An Act amending section six hundred and ninety of the Code of Civil Procedure, relating to exemption from execution.

Referred to Committee on Judiciary.

Also, Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 72—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to the public lands.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Whitney: Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Referred to Committee on Hospitals.

By Mr. Baldwin: Senate Bill No. 74—An Act entitled "An Act to provide for the further management of the State asylums for the insane."

Referred to Committee on Hospitals.

Also, Senate Bill No. 75—An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable.

Referred to Committee on Commerce and Navigation.

CONCURRENT RESOLUTIONS.

By Mr. Parker: Senate Concurrent Resolution No. 9—Relating to the tariff on prunes.

Referred to Committee on Federal Relations.

Senate Joint Resolution No. 1—Relative to the direct war tax assessed to and levied upon the several States under the Act of Congress approved August 5, 1861.

Referred to Committee on Federal Relations.

Mr. Dougherty offered the following resolution:

Resolved, That the Secretary of the Senate have two hundred and forty extra copies of Senate Bill No. 20 printed.

Adopted.

RECESS.

At eleven o'clock and fifty-three minutes A. M., Mr. Cross moved to take a recess until two o'clock P. M.

Mr. Kellogg moved, as an amendment, that the Senate adjourn.

Lost.

The question recurring on the original motion, at eleven o'clock and fifty-five minutes the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Vrooman: Senate Bill No. 76—An Act concerning private banks, bankers, and private banking firms.

Referred to Committee on Corporations.

Also, Senate Bill No. 77—An Act to amend "An Act relating to mutual, beneficial, and relief associations."

Referred to Committee on Corporations.

Also, Senate Bill No. 78—An Act to create a permanent Code Commission.

Referred to Judiciary Committee.

Also, Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 80—An Act creating a State and County Board of Examiners, and prescribing their duties and powers.

Referred to Committee on Judiciary.

Also, Senate Bill No. 81—An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations.

Referred to Committee on Corporations.

Also, Senate Bill No. 82—An Act concerning corporations engaged in banking and doing a regular commercial banking business.

Referred to Committee on Corporations.

Also, Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Referred to Committee on Corporations.

Also, Senate Bill No. 84—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property.

Referred to Committee on Judiciary.

Also, Senate Bill No. 85—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Referred to Committee on Judiciary.

ADJOURNMENT.

At two o'clock and ten minutes P. M., on motion of Mr. Knight, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 21, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Hon. Benjamin Knight, President pro tem., in the chair.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees :

By Mr. Whitney : Senate Bill No. 86—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Corporations.

Also, Senate Bill No. 87—An Act concerning corporations doing a savings bank business.

Referred to Committee on Corporations.

By Mr. Wright : Senate Bill No. 88—An Act to amend section three thousand eight hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services.

Referred to Committee on Finance.

By Mr. Routier : Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Referred to Committee on Judiciary.

By Mr. McClure : Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Referred to Committee on Judiciary.

Also, Senate Bill No. 91—An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand six hundred and fifty-seven, to enable persons claiming to be entitled to any portion of the estate of a deceased person to prove their claims.

Referred to Committee on Judiciary.

Also, Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil actions.

Referred to Committee on Judiciary.

Also, Senate Bill No. 93—An Act to provide for the appointment of appointive officers, members of Boards or Commissions of any county, city, city and county, township, or municipality; and to provide for the appointment of appointive officers, to succeed members of Boards, or Commissioners, heretofore appointed, whose constitutional or legislative terms of office have already expired.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Palmieri: Senate Bill No. 94—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said city and cities and counties.

Referred to Committee on Judiciary.

By Mr. Mahler: Senate Bill No. 95—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in the State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Mr. Vrooman: Senate Bill No. 96—An Act adding a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be and become section three hundred and ninety thereof, and relating to parties to actions and proceedings, especially the representative capacity of administrators, executors, and guardians as parties.

Referred to Committee on Judiciary.

By Mr. Whitney: Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

The Committee on Attachés, Contingent Expenses, and Mileage made a report of mileage due the Lieutenant-Governor, Senators, and officers of the Senate, as follows:

SENATE CHAMBER, SACRAMENTO, January 21, 1885.

MR. PRESIDENT: The Committee on Attachés, Contingent Expenses, and Mileage, having had under consideration the mileage of Senators, the Lieutenant-Governor, and officers of the Senate, beg leave to report that the following Senators, the Lieutenant-Governor, and officers of the Senate, are entitled to mileage under the Constitution, as follows:

| NAMES. | Miles. | Amount. | NAMES. | Miles. | Amount. |
|--------------------------------------|--------|---------|-----------------------------|--------|---------|
| F. T. Baldwin | 96 | \$9 60 | J. R. Lowe | 256 | \$25 60 |
| A. B. Beauvais | 208 | 20 80 | J. Lynch | 168 | 16 80 |
| J. L. Boone | 168 | 16 80 | H. Mahler | 122 | 12 20 |
| A. L. Chandler | 76 | 7 60 | D. McClure | 168 | 16 80 |
| F. Cox | | | E. Palmieri | 168 | 16 80 |
| D. J. Creighton | 168 | 16 80 | W. B. Parker | 40 | 4 00 |
| C. W. Cross | 142 | 14 20 | G. C. Parkinson | 168 | 16 80 |
| J. M. Days | 168 | 16 80 | G. H. Perry | 168 | 16 80 |
| F. C. DeLong | 200 | 20 00 | P. Reddy | 632 | 63 20 |
| R. F. Del Valle | 956 | 95 60 | J. Routier | | |
| J. T. Dougherty | 168 | 16 80 | A. W. Saxe | 256 | 25 60 |
| E. F. Drum | 168 | 16 80 | D. Spencer of Napa | 122 | 12 20 |
| J. A. Filcher | 74 | 7 40 | J. D. Spencer of Stanislaus | 154 | 15 40 |
| C. F. Foster | 270 | 27 00 | George Steele | 598 | 59 80 |
| B. G. Hurlburt | 734 | 73 40 | C. W. Taylor | 354 | 35 40 |
| A. P. Johnson of San Bernar- dino | 1,200 | 120 00 | H. Vrooman | 182 | 18 20 |
| G. A. Johnson of Sonoma | 282 | 28 20 | H. W. Wallis | 222 | 22 20 |
| M. Kelly | 168 | 16 80 | G. E. Whitney | 182 | 18 20 |
| W. W. Kellogg | 372 | 37 20 | M. J. Wright | 80 | 8 00 |
| Benj. Knight | 410 | 41 00 | Lieut.-Governor Daggett | 570 | 57 00 |
| B. F. Langford | 96 | 9 60 | I. G. Messec | 256 | 25 60 |
| | | | A. A. Taylor | 410 | 41 00 |

And that the Controller be instructed to draw his warrants for the amounts above set forth, in favor of said Senators and officers, upon the Mileage Fund of the Senate.

LYNCH, Chairman.

Adopted.

Mr. Wright gave notice as follows:

I hereby give notice that I will, on to-morrow, introduce a resolution to amend the rules, by adding thereto an additional standing committee, number thirty-one, on immigration, to consist of seven members, whose duty it shall be to consider all matters on the subject of immigration (except Chinese immigration), and to report their opinion thereon.

Referred to Committee on Rules.

RESOLUTIONS.

By Mr. Dougherty:

Resolved, That Paul Desmond be and he is hereby appointed Copying Clerk at a per diem the same as clerks at the desk, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Wallis:

Resolved, That E. L. Pearson be and is hereby appointed Copying Clerk, at a per diem to be hereafter named, and to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Filcher:

Resolved, That the State Printer be and he is hereby instructed to print daily three hundred copies of the Senate Journal.

Adopted.

By Mr. Vrooman: Senate Joint Resolution No. 2—Declaratory of

the proposal, submission, and ratification of certain amendments to the Constitution.

Read, and on motion of Senator Taylor, referred to the Committee on Judiciary.

Mr. Spencer of Napa moved that the Secretary of the Senate have seven hundred and twenty extra copies of Senate Bill No. 79 printed.

Carried.

RECESS.

At eleven o'clock and forty-eight minutes A. M., Mr. Baldwin moved to take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

The President announced standing committees of the Senate, as follows:

STANDING COMMITTEES OF THE SENATE.

On Agriculture—Messrs. Foster, Chairman; Cox, Langford, Spencer of Stanislaus, Taylor, DeLong, Johnson of San Bernardino, Steele, and Parker.

On Claims—Messrs. Dougherty, Chairman; Beauvais, Creighton, Kelly, Boone, Parkinson, and Drum.

On Commerce and Navigation—Messrs. Kelly, Chairman; Drum, Lynch, Parkinson, DeLong, Dougherty, and Whitney.

On Corporations—Messrs. Kellogg, Chairman; Knight, Drum, Cross, Wright, Lowe, Vrooman, McClure, and Kelly.

On Counties, County Governments, and Township Organizations—Messrs. Spencer of Napa, Chairman; Baldwin, Knight, Johnson of Sonoma, Johnson of San Bernardino, Parker, and Chandler.

On Education—Messrs. Johnson of Sonoma, Chairman; Perry, Lynch, Vrooman, Del Valle, Boone, and Spencer of Stanislaus.

On Engrossed Bills—Messrs. Filcher, Chairman; Cross, Mahler, Kellogg, Palmieri, and Routier.

On Enrolled Bills—Messrs. Cox, Chairman; Filcher, Langford, Steele, Wallis, and Spencer of Stanislaus.

On Federal Relations—Messrs. Baldwin, Chairman; Whitney, Drum, Dougherty, and Wallis.

On Finance—Messrs. Knight, Chairman; Cox, Kellogg, Days, DeLong, Johnson of San Bernardino, and Vrooman.

On Hospitals—Messrs. Knight, Chairman; Saxe, Wright, Baldwin, and Creighton.

On Judiciary—Messrs. Cross, Chairman; Taylor, Spencer of Napa, Reddy, Baldwin, Johnson of Sonoma, Vrooman, Kellogg, Lowe, McClure, Del Valle, Perry, Whitney, Days, and Boone.

On Military Affairs—Messrs. Drum, Chairman; Baldwin, Foster, Lynch, Perry, Lowe, and Boone.

On Mines, Drainage, and Mining Debris—Messrs. Mahler, Chairman; Kellogg, Cross, Filcher, Wallis, Hurlburt, and Beauvais.

On Public Buildings—Messrs. Baldwin, Chairman; Spencer of Napa, Creighton, Dougherty, Lowe, Vrooman, and Days.

On Public and Swamp and Overflowed Lands—Messrs. Cox, Chairman; Parker, Langford, Foster, and Vrooman.

On Public Morals—Messrs. Saxe, Chairman; Johnson of Sonoma, and Chandler.

On Public Printing—Messrs. Spencer of Stanislaus, Chairman; Filcher, and Steele.

On Roads and Highways—Messrs. Langford, Chairman; Beauvais, Knight, Steele, Taylor, Hurlburt, and Johnson of San Bernardino.

On State Library—Messrs. Del Valle, Chairman; Hurlburt, and Cross.

On State Prisons and Prison Buildings—Messrs. Reddy, Chairman; Foster, Spencer of Stanislaus, DeLong, Knight, Kelly, Routier, Parkinson, and Perry.

On Irrigation and Water Rights—Messrs. Taylor, Chairman; Saxe, Reddy, Johnson of San Bernardino, Cross, Whitney, Foster, Del Valle, and Beauvais.

On Fish and Game—Messrs. Foster, Chairman; Wright, Cox, Kelly, and Parker.

On Elections—Messrs. Kellogg, Chairman; Wright, Spencer of Napa, Drum, McClure, Vrooman, and DeLong.

On City, City and County, and Town Governments—Messrs. Johnson of Sonoma, Chairman; Cox, Dougherty, Del Valle, Johnson of San Bernardino, McClure, and Whitney.

On Labor and Capital—Messrs. Dougherty, Chairman; Creighton, Lynch, Days, and Chandler.

On Chinese and Chinese Immigration—Messrs. Kelly, Chairman; Chandler, Lynch, Foster, Palmieri, Steele, and Routier.

On Apportionment and Representation—Messrs. Del Valle, Chairman; Filcher, Hurlburt, Langford, Reddy, Chandler, Spencer of Napa, Wright, and Palmieri.

On Forestry, Yosemite Valley, and Mariposa Big Tree Grove—Messrs. Creighton, Chairman; Spencer of Stanislaus, Cox, Beauvais, and Saxe.

RESOLUTIONS.

By Mr. Chandler:

Resolved, That Thomas McGinn is hereby appointed Mailing Clerk of the Senate, at a per diem to be hereafter fixed, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Creighton:

Resolved, That the President of the Senate appoint a Porter for the committee rooms of the Senate.

Adopted.

The President announced the appointment of Daniel Coughlan as additional Porter of the Senate.

ADJOURNMENT.

At two o'clock and twenty-seven minutes P. M., on motion of Mr. McClure, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 22, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Secretary Smith, on account of sickness.

Journal of yesterday read and approved.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 21, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Claims.

The President announced the appointment of William Craig as Porter of Committee Rooms.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Lowe: Senate Bill No. 98—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a uniform system of county and township governments," repealing subdivision three of section one hundred and seventy-eight thereof.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 99—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code, relating to expenses of witnesses.

Referred to Committee on Judiciary.

By Mr. Reddy: Senate Bill No. 100—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on Counties, County Governments, and Township Organization.

By Mr. Boone: Senate Bill No. 101—An Act authorizing certain corporations to act as executors, administrators, guardians, trustees, agents, depository, or receiver.

Referred to Committee on Judiciary.

By Mr. McClure: Senate Bill No. 102—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to undertakings on attachments in civil cases.

Referred to Committee on Judiciary.

Also, Senate Bill No. 103—An Act to amend section four hundred and eighty-two of the Code of Civil Procedure of the State of California, relating to undertakings on arrest and bail in civil actions.

Referred to Committee on Judiciary.

By Mr. Saxe: Senate Bill No. 104—An Act to encourage and provide for a general vaccination in the State of California.

Referred to Committee on Hospitals.

By Mr. Spencer of Stanislaus: Senate Bill No. 105—An Act to authorize the removal of the ores, rocks, fossils, and minerals which are the products of California, to the New Orleans Exposition.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Mr. Wright: Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation and the manner of collection of taxes, by the Assessor, on certain personal property.

Referred to Committee on Judiciary.

By Mr. Kellogg: Senate Bill No. 107—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section one thousand and fifty-six, and to amend section one thousand and fifty-seven of said Act, relating to sureties on undertakings and bonds.

Referred to Committee on Judiciary.

Also, Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Referred to Committee on Judiciary.

By Mr. Vrooman: Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

SENATE CONCURRENT RESOLUTION.

By Mr. Saxe: Senate Concurrent Resolution No. 10—Relating to food adulterations.

Referred to Committee on Hospitals.

RESOLUTIONS.

By Mr. Wright:

Resolved, That Rule 16, relating to standing committees, be and the same is hereby amended by adding thereto an additional committee, to be designated as number thirty-one, Committee on Immigration, to consist of seven members, whose duty it shall be to consider all matter on the subject of immigration (except Chinese immigration), and to report their opinion thereon.

Referred to Committee on Rules.

By Mr. Reddy:

Resolved by the Senate, That the Committee on State Prisons be empowered to send for persons and papers, issue subpoenas therefor, and compel the attendance thereof in all proceedings and investigations which they shall consider expedient.

Also, that said committee be further authorized to employ a Sergeant-at-Arms and a shorthand reporter, whose compensation shall be hereafter fixed, whenever such committee shall deem the same necessary.

Mr. Cross moved to refer to Committee on Attachés, Contingent Expenses, and Mileage.

Lost.

The question recurring on the adoption of the resolution, the same was adopted.

SPECIAL ORDER.

Mr. Del Valle moved that the special order for to-day, at three o'clock and thirty minutes P. M. (the consideration of the gubernatorial appointments), be postponed until to-morrow, Friday, January 23, 1885, immediately after the reading of the Journal.

Carried.

ADJOURNMENT.

At eleven o'clock and forty-eight minutes A. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 23, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Lowe, Saxe, and McClure, and Secretary Smith.

Prayer by the Chaplain.

Journal of yesterday read and approved.

SPECIAL ORDER.

Mr. Knight moved to go into executive session, to consider the Governor's appointments.

Mr. Johnson of Sonoma moved, as an amendment, that the consideration of the gubernatorial appointments be postponed until Wednesday, January 28, 1885, at three o'clock and thirty minutes P. M.

Ayes and noes demanded on the amendment, by Senators Perry, Days, and Johnson of San Bernardino.

Roll called, with the following result:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—16.

NOES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Palmieri, Parker, Parkinson, Perry, Routier, Steele, Vrooman, Wallis, Whitney, and Wright—16.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

The Chair thereupon declared the amendment lost.

Mr. Del Valle moved that the consideration of the gubernatorial appointments be postponed until Monday, January 26, 1885, at three o'clock and thirty minutes P. M.

Mr. Wright moved to amend, by making the time immediately after the noon recess.

Ayes and noes demanded on the amendment, by Senators Del Valle, Foster, and Mahler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Knight, Palmieri, Parker, Perry, Routier, Whitney, and Wright—7.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, Parkinson, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—29.

Mr. Perry moved, as an amendment, that the consideration of the gubernatorial appointments be postponed until Tuesday, January 27, 1885, immediately after balloting for a United States Senator.

Amendment accepted by Mr. Del Valle.

Ayes and noes demanded on the amendment, by Senators Johnson of San Bernardino, Parkinson, and Kellogg.

Roll called, and the motion, as amended, carried by the following vote:

AYES—Messrs. Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Knight, Langford, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Taylor—24.

NOES—Messrs. Beauvais, Boone, Chandler, Days, Johnson of San Bernardino, Kellogg, Parker, Parkinson, Vrooman, Wallis, Whitney, and Wright—12.

PETITIONS.

By Mr. Lynch: Petitions from citizens of San Francisco, requesting the Legislature to enact a law providing for the establishing of a public morgue in that city; citing the public necessity and convenience of such morgue in order to take proper care of the unknown dead in that city; and to secure a portion of Portsmouth Square in said city for that purpose.

Referred to Committee on Hospitals.

REPORTS OF COMMITTEES.

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 22, 1885.

MR. PRESIDENT: Your Committee on Standing Rules of the Senate, to which was referred Resolution No. —, concerning the appointment of an additional standing committee—have had the same under consideration, and report the same, and recommend that it do pass, amended so as to read as follows:

Resolved, That Rule 16 of the Senate is hereby amended by adding thereto as follows:

xxxI.—Committee on Immigration other than Chinese, to consist of seven members.

CROSS, Chairman.

Report of committee adopted.

On request of Mr. Del Valle, there being no objection, the question was reopened, and, after discussion, the ayes and noes were demanded on the adoption of the report, by Senators Johnson of San Bernardino, Wright, and Parker.

Roll called, and report adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Mahler, Palmieri, Parker, Perry, Reddy, Routier, Spencer of Napa, Taylor, Wallis, Whitney, and Wright—25.

NOES—Messrs. Cox, Creighton, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Lynch, Parkinson, Spencer of Stanislaus, Steele, and Vrooman—11.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 23, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, submit the following resolution, and recommend its adoption:

Resolved, That the Controller be instructed to draw his warrant in favor of the Sergeant-at-Arms of the Senate for ten dollars for Post Office box for use of Senate.

The question being upon the adoption of the resolution, the same was adopted.

SENATE CHAMBER, SACRAMENTO, January 23, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That Paul Desmond be and he is hereby appointed Copying Clerk at a per diem the same as the clerks at the desk, to be paid out of the Contingent Fund of the Senate.

The question being upon the adoption of the resolution, the same was rejected.

Also:

Resolved, That E. L. Pearson be and is hereby appointed Copying Clerk, at a per diem to be hereafter named, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

The question being upon the adoption of the resolution, the same was rejected.

Also:

Resolved, That Thomas McGann is hereby appointed Mailing Clerk of the Senate, at a per diem to be hereafter fixed, payable out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with amendment, as follows:

Resolved, That Thomas McGann be and he is hereby appointed Mailing Clerk of the Senate, at a per diem of four dollars, payable out of the Contingent Fund of the Senate.

LYNCH, Chairman.

The question being upon the adoption of the substitute, the same was adopted.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, January 23, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture and appropriate money for the expenses thereof," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FOSTER, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, January 22, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 23—An Act to provide for the exhibition of the State's minerals at the World's Fair in New Orleans—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHLER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Chandler: Senate Bill No. 110—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880."

Referred to Committee on Claims.

By Mr. Lynch: Senate Bill No. 111—An Act to provide for the construction of a public morgue in the City and County of San Francisco.

Referred to Committee on Hospitals.

By Mr. Vrooman: Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen of article twenty of the Constitution.

Referred to Committee on Judiciary.

By Mr. Cox: Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Referred to Committee on Finance.

Also, Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Referred to Committee on Finance.

By Mr. Perry: Senate Bill No. 115—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

By Mr. Vrooman: Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number of officers and employes of the Senate.

Referred to Committee on Judiciary.

Also, Senate Bill No. 117—An Act to amend sections one hundred and four, one hundred and five, and one hundred and six of an Act entitled "An Act to establish a Code of Civil Procedure," relating to Justices of the Peace and to Justices' Courts.

Referred to Committee on Judiciary.

Also, Senate Bill No. 118—An Act for the relief of Robert McKillican.

Referred to Committee on Public Buildings.

By Mr. Saxe: Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and of food and drugs, to prevent the adulteration of the same.

Referred to Committee on Hospitals.

By Mr. Whitney: Senate Bill No. 120—An Act to appropriate money to pay the claim of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignees of Sherman Day, for services as Commissioners in the action of the People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court of Alameda County.

Referred to Committee on Claims.

By Mr. Hurlburt: Senate Bill No. 121—An Act to amend section

one thousand eight hundred and eighty of the Code of Civil Procedure, section one.

Referred to Committee on Judiciary.

Mr. Cross moved that the hour of recess be passed, and that upon the completion of the regular order of business, the Senate adjourn for the day.

Carried.

FIRST READING OF BILLS.

Mr. Filcher moved that the rules be suspended, and that the Senate proceed to take up Senate Bill No. 23.

Carried.

Senate Bill No. 23—An Act to provide for the exhibition of the State's minerals at the World's Fair in New Orleans.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Mr. Filcher moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Senate Bill No. 23 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—32.

NOES—Mr. Taylor.

Senate Bill No. 23.

Rules suspended, and the bill ordered read a second time.

Mr. Spencer of Stanislaus moved that section two be amended as follows: By striking out the words "five thousand dollars" and inserting "three thousand dollars," in line three.

Ayes and noes demanded on the amendment, by Senators Johnson of San Bernardino, Parker, and Parkinson.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Boone, Johnson of San Bernardino, Johnson of Sonoma, Lynch, Parkinson, Perry, Spencer of Stanislaus, and Taylor—8.

NOES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Kellogg, Knight, Mahler, Palmieri, Parker, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—26.

Senate Bill No. 23.

Read second time, and ordered engrossed.

RESOLUTIONS.

By Mr. Cox:

Resolved, That the clerk of the Sergeant-at-Arms be and he is hereby allowed the sum of seven dollars per diem, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Cross, by request of Judiciary Committee:

Resolved, That S. W. Maslin be appointed Porter of the Judiciary Committee, at a per diem of four dollars, to begin with January 21, 1885.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Kelly:

Resolved, That H. J. Lynch be and is hereby appointed an assistant Journal Clerk, at a per diem to be hereafter fixed, the same to be paid out of the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Mr. Routier gave notice as follows:

I hereby give notice that on to-morrow, or on the next meeting of the Senate, I will introduce the following resolution:

Resolved, That a new committee, to be known as the Committee on Viniculture and Viticulture, be added to the Senate committees, said committee to consist of five members.

SENATE CONCURRENT RESOLUTION.

By Mr. DeLong: Senate Concurrent Resolution No. 11—Relating to the establishment of a signal service station on Mount Tamalpais, in the State of California.

Resolution read and adopted.

Mr. Filcher moved that the action of the Senate referring the resolution offered by Senator Cox to the Committee on Attachés, Contingent Expenses, and Mileage, be now reconsidered.

Carried.

RESOLUTIONS.

By Mr. Cox:

Resolved, That the clerk of the Sergeant-at-Arms be and he is hereby allowed the sum of seven dollars per diem, payable out of the Contingent Fund of the Senate.

Mr. Filcher moved that the amount be fixed at six dollars per diem instead of seven dollars.

Ayes and noes demanded on the amendment, by Senators Spencer of Napa, Cox, and Reddy.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Filcher and Lynch—2.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

The question recurring on the adoption of the resolution, the same was adopted.

FIRST READING OF BILLS.

Senate Bill No. 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture and appropriate money for the expenses thereof," approved March 13, 1883.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At one o'clock and ten minutes P. M., on motion of Mr. Perry, the Senate adjourned until Monday, January 26, 1885, at one o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Monday, January 26, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of Friday read, and, on motion of Mr. Perry, corrected as follows:

That the consideration of the gubernatorial appointments be postponed until Tuesday, January 27, 1885, immediately after balloting for a United States Senator.

Journal approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Johnson of Sonoma and Baldwin.

LEAVE OF ABSENCE TO COMMITTEE.

Indefinite leave of absence was granted to Committee on State Prisons and Prison Buildings.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 1—Entitled "An Act to amend section one thousand three hundred and sixty of the Civil Code of California, and prescribe the order in which the property of a testator must be resorted to for the payment of legacies"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 2—Entitled "An Act to prohibit aliens who have not declared their intention to become citizens of the United States from receiving license to drive, and from driving, any vehicle for the driving of which a license is required by law"—and do now report the same back, and recommend that it be referred to the Committee on Chinese Immigration.

Also, Senate Bill No. 4—Entitled "An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California"—and do now report the same back, and recommend that it be referred to the Committee on Capital and Labor.

Also, Senate Bill No. 5—Entitled "An Act to amend sections one, four, and ten, of article thirteen of the Constitution"—and do now report the same back, and recommend that it be referred to the Committee on Finance.

Also, Senate Bill No. 9—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as section sixty-three"—and do now report the same back, and recommend that it do pass.

Also, Senate Bill No. 10—Entitled "An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relating to the community property"—and do now report the same back, and a majority of the committee recommend that it do not pass; minority recommend that it do pass. Minority report herewith submitted.

Also, Senate Bill No. 11—Entitled "An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relating to the advertisement of the capital of insurance corporations"—and do now report the same back, and recommend that it be referred to the Committee on Corporations.

Also, Senate Bill No. 12—Entitled "An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations"—and do now report the same back, and recommend that it be referred to the Committee on Corporations.

Also, Senate Bill No. 33—Entitled "An Act to regulate the sale and use of opium, or any preparation thereof"—and do now report the same back, with a substitute, and recommend the adoption of the substitute.

CROSS, Chairman.

Bills referred to committees, as recommended.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. PRESIDENT: The undersigned, a minority of the Judiciary Committee, to which was referred Senate Bill No. 10—Entitled "An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relating to the community property"—have had the same under consideration, and recommend that it do pass; and assigns the following as part of the reasons therefor, quoting largely from a report made to the Legislature in the year 1872, commencing: "The special committee to which was referred the petition of Hon. Leland Stanford, Hon. B. F. Washington, and over five thousand men and women, citizens of the State of California, asking that the laws be so amended that the person and property rights of the wife shall be the same as those of her husband," etc.

The bill introduced by the committee was similar to the one under consideration; it passed the Assembly by a two-thirds vote of those present, but was too late in the session to be reached by the Senate. It was supported by such eminent jurists as Judge Spencer of Santa Clara, then Chairman of the Judiciary Committee of the Assembly, and Chief Justice French of Arizona, then Chairman of the Code Committee in the same House. The undersigned acted as Chairman of the committee, and believed then, as he believes now, that the present law in relation to community property is an injury to the children, a robbery to the wife, and a disgrace to the states.

As the law now stands, the family estate survives the death of the wife. The husband is allowed to proceed with his business and domestic affairs as though no great calamity had befallen the family. The law allows him every facility to provide for its surviving members, and to retain the children under the paternal roof; but on the death of the husband the family estate, ceasing to exist, is dissolved by the operation of law. The law practically presumes that the widow, however experienced and skilled she may be in business, or qualified to manage, is incompetent to carry on or wind up the estate of her deceased husband. Nay, further, if she is conducting a business, supporting herself and family thereby and laying up a little money for a rainy day, the present law puts it in the power of the husband to break up that business at his death, and give the half of her earnings to strangers. Therefore, on his demise, just at the time of her greatest sorrow, when all the resources of her depressed mind should be free to consider the real condition of affairs, and to adjust matters with a view to present wants and the necessities of the future, the estate falling into probate, in steps the numerous officers which the law provides for, making inventories, appraising, dividing, setting off, and selling the estate, consuming, by expensive fees, delays, forced sales, and general derangement, even if honestly, capably, and efficiently administered upon, a large per cent of a small estate, and entirely ruining it in its producing and supporting capacity; and estates are thus consumed in the settlement which, if the widows had been allowed to manage, would, in many cases, afford them and orphan children a competence.

The original object of the law in winding up the estate on the death of the husband, was to protect the widow, and particularly guard the interests of the children. It had its origin in a noble and charitable sentiment: there was a time when it did good service, both for the widow and orphans; but there was also a time when the lord of the household could chastise his wife as he could his children, and Blackstone tells us that a man may lawfully beat his wife, provided he do so in reason; that is, with a switch no thicker than a man's little finger. But times have changed. The law which might have been once considered necessary, has not only survived its usefulness, but is now a lever of oppression, and often of robbery. We have even gone so far in this State as to propose a whipping post, to flay the back of the rascal who chastised his

wife, even though it be with a switch no bigger in thickness than a man's finger, although I have never heard of the repeal of the law from the statutes of Great Britain.

But it is objected to allowing the widow to succeed to the whole of the community property, on the ground that it was earned by the husband, by virtue of his personal foresight, enterprise, perseverance, and business energy, and that therefore it belongs to him. That he should have the power to provide for his children when he dies, for his widow might marry again and neglect them. This is the only plausible position any one can raise against the bill. I will, therefore, devote a few moments to its consideration, and see if it is tenable.

At the time of marriage, the wife is supposed to be the peer, socially, of her husband; each have their duties. By general consent, and in conformity with the usages of society, there is by mutual understanding, an agreement for a division of labor for the advantage of each. The husband assumes the control of outdoor matters, the wife takes charge of the house, the home, and family. While the husband may prosper in business and accumulate wealth, the wife may and does at the same time perform her duties in as equally an important sphere. She may, by her skill and industry, gratify the family pride by the embellishment of the home. She bears and nurses their children through years of wearisome toil and suffering; she attends to their wants with untiring energy through weal and woe. In this one item she performs more good to her family and society than her husband can perform if he accumulates the fortune of Croesus.

But is it true that the community property is always accumulated by "virtue of the personal foresight, enterprise, perseverance, and business energy" of the husband? Or that the home should be broken up and scattered to the four winds of heaven to protect the children's rights? Who does not know that hundreds of wives in California have not only performed their household duties to the best of their ability, but have actually done as much as the husband in earning the means of livelihood, and more, in saving and acquiring the community property? Who does not know that hundreds of wives in California, by their skill, industry, affection, and love for their husbands and families, not only acquire the community property, but support children and husband besides. Under our present law such wives and mothers may have one half of their property bequeathed to strangers, and the family broken up, at the death of the husband.

Facts are numerous showing that wives during years of wedded life experienced great deprivations and hardships, arising from the inability of their husbands to provide for their wants, but who, on becoming widows, supported themselves, educated their orphan children, and accumulated property. Instances are numerous where wives, when allowed the opportunity, have rescued and brought out incumbered estates, involved by the unfortunate speculations of their husbands. The testimony of Chief Justice Marshall and other eminent jurists familiar with the subject is eloquent, abundant, and conclusive in vindication of the natural tact and business capacity, economy, and perseverance of woman. Nature has richly endowed the mother with the natural affection, the mental and business resources and skill necessary for the protection of her orphan children. Who that lives, when deprived of a father's care and protection, has so great and continued, abiding and untiring interest in the proper education, training, and the future of her children, as the mother who has borne and nursed them? Who is prepared to toil harder, or to economize more rigidly or willingly, to make greater sacrifices for their good, than she? The care and culture of children is a sacred trust committed to the mother, which she is willing, nay, more, she is anxious to assume with all the trying responsibilities which that trust imposes.

For these and other reasons too numerous to recite in this report, I believe that justice demands that the bill should become the law of the land.

Respectfully submitted.

JOHN M. DAYS.

Mr. Perry moved that further reading of the minority report be dispensed with, and that five hundred copies be printed.

Mr. Days moved to amend, by making the number seven hundred and twenty.

Amendment accepted by Mr. Perry.

Mr. Taylor moved to amend, by making the number one thousand.

Amendment adopted.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 15—An Act to amend section eighteen hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools;

Also, Senate Bill No. 16—An Act to amend section fifteen hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts;

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JOHNSON, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 23—"An Act to provide for the exhibition of the State's minerals at the World's Fair in New Orleans"—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, January 26, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I beg leave to withdraw the names of Benjamin Shurtleff and John Q. Brown, Directors of the Napa Insane Asylum, from the further consideration of the Senate, as, in my opinion, the above appointments do not require confirmation. I also ask leave to withdraw the name of E. E. Hewitt, Brigadier-General First Brigade, National Guard of California.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

Mr. Whitney moved that leave be granted the Governor to withdraw the aforesaid appointments.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Concurrent Resolution No. 11—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Exposition at New Orleans.

Also, Assembly Concurrent Resolution No. 12—Relative to tariff on prunes.

F. D. RYAN, Chief Clerk.

Concurrent Resolutions Nos. 11 and 12 referred to Committee on Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Also, Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Also, Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Also, Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Also, adopted Assembly Concurrent Resolution No. 1—Relative to Mexican Veterans' Pension Bill in United States Congress.

F. D. RYAN, Chief Clerk.

Assembly Bills Nos. 6, 73, 74, and 82 referred to Committee on Corporations.

Assembly Concurrent Resolution No. 1 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. McClure: Senate Bill No. 122—An Act to advance learn-

ing, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts, for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Referred to Committee on Judiciary.

Also, Senate Bill No. 123—An Act to provide for payment for private property heretofore taken for public use.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 124—An Act to appropriate the sum of five thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Referred to Committee on Finance.

By Mr. Cox: Senate Bill No. 125—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Boone: Senate Bill No. 126—An Act relating to the adulteration of food and drugs.

Referred to Committee on Hospitals.

By Mr. Parker: Senate Bill No. 127—An Act to amend sections three thousand eight hundred and thirty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and forty-three, three thousand eight hundred and forty-five, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections thereto, to be known as sections three thousand eight hundred and sixty-three and three thousand eight hundred and sixty-four, all relating to revenue and poll taxes.

Referred to Committee on Judiciary.

By Mr. Drum: Senate Bill No. 128—An Act to authorize and provide for the erection of buildings to be used as health offices and morgues, in the various counties, cities, and cities and counties of the State of California.

Referred to Committee on Hospitals.

By Mr. Mahler: Senate Bill No. 129—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquors to patients in county hospitals.

Referred to Committee on Judiciary.

Also, Senate Bill No. 130—An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting.

Referred to Committee on Judiciary.

By Mr. Lynch: Senate Bill No. 131—An Act to amend sections two thousand four hundred and forty-five, two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and thirty-five, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four

hundred and sixty-seven of the Political Code, relating to the pilot regulations of San Francisco, Mare Island, Vallejo, and Benicia.

Referred to Committee on Commerce and Navigation.

By Mr. Lynch: Senate Bill No. 132—An Act to amend sections two thousand five hundred and twenty-one, two thousand five hundred and twenty-two, two thousand five hundred and twenty-eight, two thousand five hundred and thirty, two thousand five hundred and thirty-five, two thousand five hundred and thirty-six, and two thousand five hundred and fifty-two, and to repeal sections two thousand five hundred and thirty-three of, and to add two new sections, to be known as sections two thousand five hundred and fifty-four and two thousand five hundred and fifty-five, to the Political Code; the said sections as amended and the said new sections defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary and other officers, fixing the salary and amount of the bond of the Secretary, and prescribing the modes of collecting wharfage.

Referred to Committee on Commerce and Navigation.

By Mr. Days: Senate Bill No. 133—An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports.

Referred to Committee on Finance.

By Mr. Whitney: Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 135—An Act to amend section one thousand five hundred and forty-three of the Political Code, in relation to the duties of School Superintendents.

Referred to Committee on Education.

Also, Senate Bill No. 136—An Act to amend chapter five, part one, of the Code of Civil Procedure, and each and every article and section thereof, and substituting a new chapter five to take the place thereof in said Code, relating to Justices' Courts.

Referred to Committee on Judiciary.

Also, Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Referred to Committee on Hospitals.

Also, Senate Bill No. 138—An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms."

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 139—An Act to add a new section to the Civil Code, to be known as section five hundred and forty-one, in relation to telegraph lines.

Referred to Committee on Corporations.

Also, Senate Bill No. 140—An Act to repeal section five hundred and forty-eight, and to amend section five hundred and forty-nine of the Civil Code, and to add a new section to said Civil Code, to be known as section five hundred and fifty-three, in relation to water and canal corporations.

Referred to Committee on Corporations.

Also, Senate Bill No. 141—An Act to add a new section to the Civil Code, to be known as section four hundred and ninety-two, in relation to the construction, ownership, and management of railroads.

Referred to Committee on Corporations.

Also, Senate Bill No. 142—An Act to repeal section five hundred and twenty-one of the Civil Code, in relation to wagon road corporations.

Referred to Committee on Corporations.

By Mr. Cross: Senate Bill No. 143—An Act to add a section to the Political Code, to be known as section two thousand two hundred and twenty-three, concerning preservation of testimony taken upon the examination of persons alleged to be insane.

Referred to Committee on Judiciary.

Also, Senate Bill No. 144—An Act to provide for taxes upon the income of railroad companies or corporations, and every other company or corporation whose property is devoted to or affected by public use, who shall fail to pay their property taxes.

Referred to Committee on Corporations.

Also, Senate Bill No. 145—An Act to declare the identity of married women.

Referred to Committee on Judiciary.

Also, Senate Bill No. 146—An Act to further the rights of inmates of insane asylums.

Referred to Committee on Hospitals.

By Mr. Boone: Senate Bill No. 147—An Act for the preservation of human life, and to prevent accidents by and on street railway cars or vehicles running on and through the streets of the cities and towns of the State of California, and to compel the use of guards and safety devices on such conveyances.

Referred to Committee on Corporations.

By Mr. Vrooman: Senate Bill No. 148—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become section six hundred and thirty-seven, and relating to the reinsurance of risks by insurance companies authorized to transact business in this State.

Referred to Committee on Corporations.

Also, Senate Bill No. 149—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become section six hundred and thirty-six, relating to the examination by the Insurance Commissioners of insurance companies not organized under the laws of this State.

Referred to the Committee on Corporations.

Also, Senate Bill No. 150—An Act to amend section three hundred and thirty-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the levying of assessments of corporations.

Referred to the Committee on Corporations.

Also, Senate Bill No. 151—An Act to amend section six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, so as to prescribe the time for publishing the statement of insurance companies.

Referred to Committee on Corporations.

By Mr. Steele: Senate Bill No. 152—An Act to amend sections one thousand three hundred and sixty-five and one thousand three hun-

dred and seventy-nine of the Code of Civil Procedure, relating to the administration of estates.

Referred to Committee on Judiciary.

MEMORIALS.

A memorial from the President and Board of Directors of the Hastings College of the Law, asking for the passage of the claim of said society against the State of California.

Referred to Committee on Finance.

Also, a memorial from the Society of California Pioneers, referring to the same subject.

Referred to Committee on Finance.

THIRD READING OF BILLS.

Senate Bill No. 23—An Act to provide for the exhibition of the State minerals at the World's Fair in New Orleans.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—28.

NOES—Mr. Perry—1.

Mr. Filcher moved to amend the title as follows: By inserting after the words "New Orleans" the words "and to appropriate money therefor."

So ordered.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to establish a State Board of Horticulture and appropriate money for the expenses thereof," approved March 13, 1883.

Read second time, and amendments by the committee adopted.

Section two amended as follows: Page two, line four, by inserting after the word "allowed" the words "not to exceed one thousand dollars per annum," and on page two, line five, of the same section, by striking out the word "other" after the word "the," and on same page and same line inserting the words "and Secretary" after the word "Board," and by inserting at end of section, on line six of same section, the words "in attending semi-annual meetings of the Board."

Bill, as amended, ordered engrossed.

RESOLUTIONS.

By Mr. Vrooman:

Resolved, That a new committee, to be known as the Committee on Viniculture and Viticulture, be added to the Senate committees, said committee to consist of five members.

Referred to Committee on Rules.

By Mr. Wallis:

Resolved, That the two Assistant Journal Clerks be allowed the same per diem as clerks at the desk, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That the Chaplain of the Senate be allowed a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That the Watchmen of the Senate be allowed a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That Thomas McGann be and he is hereby allowed three days' pay as Mail Carrier, from January 16 to January 19, 1885, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That Nathan Jones be and he is hereby allowed two days' pay as Gatekeeper, from the sixteenth day of January to the nineteenth day of January, 1885, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That James Toohey be and he is hereby allowed two weeks' pay as Porter, on the floor of the Senate Chamber, commencing January 5, 1885, at the per diem allowed regular Porters of the Senate, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also :

Resolved, That Joseph Van Praag be allowed the per diem allowed Porters for work done as Porter of committee rooms, from January 5 to January 21, 1885, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Lynch:

Resolved, That the Secretary of the Senate be instructed to have printed four hundred additional copies of Senate Bill No. 27.

Adopted.

ADJOURNMENT.

At two o'clock and fifty minutes P. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 27, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Levy.

Journal of yesterday read and approved.

BALLOTING FOR UNITED STATES SENATOR.

Mr. McClure offered the following resolution:

Resolved, That the Senate do now proceed to ballot for a candidate for the office of United States Senator for the term of six years, beginning March 4, 1885.

Adopted.

The President of the Senate directed the Secretary to read the Act of Congress, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person voted so for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in Joint Assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by that section, the Joint Assembly shall then proceed to choose by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the Joint Assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The President announced that nominations were now in order for a United States Senator in Congress for the term of six years from March 4, 1885.

Mr. Wright nominated the Hon. Leland Stanford.

RESOLUTION.

By Mr. Baldwin:

Resolved, That the Senate of the State of California recognize in United States Senator James T. Farley a faithful, efficient, and worthy representative of California in the United States Senate, and hereby express its regret for his present affliction, caused by ill health, and extend its sympathy for such untimely misfortune.

Mr. Baldwin moved that the resolution be adopted.

Mr. McClure raised the point of order that the resolution was out of order.

Mr. Lowe moved that liberty to proceed be granted Senator Baldwin.
So ordered.

Resolution adopted.

Mr. Reddy nominated Hon. George Hearst.

Mr. Del Valle moved that the hour of recess be extended until after the vote for United States Senator shall have been taken.

So ordered.

The President declared nominations closed, and, in accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For Hearst—Messrs. Baldwin, Cox, Creighton, Del Valle, Drum, Fileher, Foster, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Stanford—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Searls—Mr. Cross.

For Farley—Messrs. Dougherty, Kelly, and Kellogg.

| | |
|-----------------------------------|----|
| Whole number of votes cast..... | 40 |
| Mr. Leland Stanford received..... | 20 |
| Mr. George Hearst received..... | 16 |
| Mr. Niles Searls received..... | 1 |
| Mr. James T. Farley received..... | 3 |

RESOLUTION.

By Mr. McClure:

Resolved, That the Secretary of the Senate report forthwith to the Assembly the action taken by the Senate concerning the election of a United States Senator.

Adopted.

ASSEMBLY MESSAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following resolution:

Resolved, That the Clerk forthwith inform the Senate of the vote for United States Senator in this House, and that the Senate be requested to meet in the Assembly Chamber, to-morrow, January 28, 1885, in Joint Assembly, for the purpose of electing, or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866:

| | |
|----------------------|----|
| Leland Stanford..... | 58 |
| George Hearst..... | 20 |

FRANK D. RYAN, Chief Clerk.

RESOLUTION.

By Mr. McClure:

Resolved, That the Secretary of the Senate be instructed to inform the Assembly that the Senate will meet it in Joint Convention at twelve o'clock meridian, on to-morrow.

Adopted.

RECESS.

At twelve o'clock and forty minutes P. M., on motion of Mr. Cross, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M., the Senate reassembled.
President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

SPECIAL ORDERS.

Consideration of Governor's message relative to appointments.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 20, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have the honor to herewith transmit to your honorable body a list of appointments made by me since the last regular session of the Legislature, and I respectfully request the consent of the Senate to the same:

DIRECTORS OF STATE PRISONS.

September 14, 1883.—W. C. Hendricks of Butte County, vice W. F. McNutt, removed from office, for the term expiring January 12, 1888.

November 15, 1884.—Charles Sonntag of San Francisco, vice Robert Crouch, who declined reappointment, for the term expiring January 12, 1894.

November 28, 1884.—James H. Wilkins of Marin County, vice D. W. Gelwicks, deceased, for the term expiring January 12, 1892.

December 26, 1884.—Robert T. Devlin of Sacramento, vice W. C. Van Fleet, resigned, for the term expiring January 12, 1886.

STATE BOARD OF HEALTH.

January 11, 1884.—H. S. Orme of Los Angeles County, for the term of four years, vice R. M. Widney, term expired.

January 11, 1884.—W. R. Cluness of Sacramento, for the term of four years, vice himself, term expired.

January 11, 1884.—J. M. Briceland of Shasta County, for the term of four years, vice C. C. Mason, term expired.

January 11, 1884.—H. C. Crowder of Colusa County, for the term of four years, vice C. W. Breyfogle, term expired.

November 17, 1884.—G. G. Tyrrell of Sacramento, for the term of four years, vice F. W. Hatch, deceased.

November 17, 1884.—R. Beverly Cole of San Francisco, for the term of four years, vice Henry Gibbons, deceased.

December 12, 1884.—James Simpson of San Francisco, for the term of four years, vice Chester Rowell, resigned.

REGENTS OF THE UNIVERSITY.

May 23, 1884.—George J. Ainsworth of Oakland, for the term of sixteen years, vice himself, term expired.

DIRECTORS STOCKTON INSANE ASYLUM.

January 19, 1884.—J. K. Doak of Stockton, for the term of four years, vice himself, term expired.

January 19, 1884.—Caleb Dorsey of Tuolumne County, for the term of four years, vice Obed Harvey, term expired.

January 19, 1884.—Robert Watt of San Francisco, for the term of four years, vice himself, term expired.

DIRECTORS DEAF, DUMB, AND BLIND ASYLUM.

October 8, 1883.—R. A. Redman of Oakland, for the term of four years, vice J. A. Stanley, resigned.

January 23, 1884.—George H. Rogers of San Francisco, for the term of four years, vice Isaac Wormser, term expired.

November 17, 1884.—William C. Harrington of Alameda County, for the term of four years, vice George D. Dornin, term expired.

January 12, 1885.—Henry A. Palmer of Berkeley, for the term of four years, vice A. K. P. Harmon, resigned.

GEORGE STONEMAN, Governor.

Mr. Del Valle moved that the Senate go into executive session to consider the Governor's appointments.

Mr. Kellogg raised the point of order that it was not necessary to go into executive session.

The question being on the motion of Mr. Del Valle, the same was lost.

Upon the question, "Will the Senate advise and consent to the appointment of W. C. Hendricks, of Butte County, as Director of State Prisons, vice W. F. McNutt, removed from office, for the term expiring January 12, 1888?"

Mr. Reddy moved that the confirmation of W. C. Hendricks be postponed for one week.

Ayes and noes demanded on the motion, by Senators Wallis, Lowe, and Parker.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, Parker, Parkinson, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—33.

NOES—Messrs. Lowe, McClure, Palmieri, Routier, Saxe, and Wallis—6.

Upon the question, "Will the Senate advise and consent to the appointment of Charles Sonntag, of San Francisco, as Director of State Prisons, vice Robert Crouch, who declined reappointment, for the term expiring January 12, 1894?"

Mr. Reddy moved that the confirmation of Charles Sonntag be postponed one week.

So ordered.

Upon the question, "Will the Senate advise and consent to the appointment of James H. Wilkins, of Marin County, as Director of State Prisons, vice D. W. Gelwicks, deceased, for the term expiring January 12, 1892?"

Mr. Reddy moved that the confirmation of James H. Wilkins be postponed for one week.

So ordered.

Upon the question, "Will the Senate advise and consent to the appointment of Robert T. Devlin, of Sacramento, as Director of State

Prisons, vice W. C. Van Fleet, resigned, for the term expiring January 12, 1886?"

Mr. Reddy moved that the confirmation of Robert T. Devlin be postponed for one week.

So ordered.

Upon the question, "Will the Senate advise and consent to the appointment of H. S. Orme, of Los Angeles County, as a member of the State Board of Health, for the term of four years, vice R. M. Widney, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Whereupon the Chair announced the appointment of H. S. Orme, as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of W. R. Cluness, of Sacramento, as a member of the State Board of Health, for the term of four years, vice himself, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Whereupon the Chair announced the appointment of W. R. Cluness as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of J. M. Briceland, of Shasta County, as a member of the State Board of Health for the term of four years, vice C. C. Mason, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—38.

NOES—None.

Whereupon the Chair announced the appointment of J. M. Briceland as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of H. C. Crowder, of Colusa County, as a member of the State Board of Health for the term of four years, vice C. W. Breyfogle, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—37.

NOES—None.

Whereupon the Chair announced the appointment of H. C. Crowder as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of G. G. Tyrrell, of Sacramento County, as a member of the State Board of Health for the term of four years, vice F. W. Hatch, deceased?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Whereupon the Chair announced the appointment of G. G. Tyrrell as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of R. Beverly Cole, of San Francisco, as a member of the State Board of Health for the term of four years, vice Henry Gibbons, deceased?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Whereupon the Chair announced the appointment of R. Beverly Cole as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of James Simpson, of San Francisco, as a member of the State Board of Health for the term of four years, vice Chester Rowell, resigned?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—37.

NOES—Messrs. Lynch and Taylor—2.

Whereupon the Chair announced the appointment of James Simpson as a member of the State Board of Health, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of George J. Ainsworth, of Oakland, as a Regent of the University of California for the term of sixteen years, vice himself, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Whereupon the Chair announced the appointment of George J.

Ainsworth as a Regent of the University of California, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of J. K. Doak, of Stockton, as a member of the Board of Directors of the Stockton Insane Asylum for the term of four years, vice himself, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Whereupon the Chair announced the appointment of J. K. Doak, as a member of the Board of Directors of the Stockton Insane Asylum, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Caleb Dorsey, of Tuolumne County, as a member of the Board of Directors of the Stockton Insane Asylum for the term of four years, vice Obed Harvey, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Lynch, Mahler, Palmieri, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Whitney—22.

NOES—Messrs. Cross, Days, Dougherty, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, McClure, Parker, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, and Wright—17.

Whereupon the Chair announced the appointment of Caleb Dorsey, as a member of the Board of Directors of the Stockton Insane Asylum, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Robert Watt, of San Francisco, as a member of the Board of Directors of the Stockton Insane Asylum for the term of four years, vice himself, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Whereupon the Chair announced the appointment of Robert Watt, as a member of the Board of Directors of the Stockton Insane Asylum, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of R. A. Redman, of Oakland, as Trustee of the Asylum for the Deaf, Dumb, and Blind, for the term of four years, vice J. A. Stanley, resigned?"

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—37.

NOES—None.

Whereupon the Chair announced the appointment of R. A. Redman, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of George H. Rogers, of San Francisco, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, for the term of four years, vice Isaac Wormser, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—37.

NOES—Mr. Perry—1.

Whereupon the Chair announced the appointment of George H. Rogers, as Trustee of the Asylum for the Deaf, Dumb, and Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of William C. Harrington, of Alameda County, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, for the term of four years, vice George D. Dornin, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—36.

NOES—None.

Whereupon the Chair announced the appointment of William C. Harrington, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Henry A. Palmer, of Berkeley, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, for the term of four years, vice A. K. P. Harmon, resigned?"

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—36.

NOES—None.

Whereupon the Chair announced the appointment of Henry A. Palmer, as a Trustee of the Asylum for the Deaf, Dumb, and Blind, duly confirmed.

The Chairman announced the following standing committee of the Senate:

Committee on Immigration—Messrs. Langford, Chairman; Wright, Mahler, Taylor, Johnson of Sonoma, Hurlburt, and Johnson of San Bernardino.

REPORTS OF STANDING COMMITTEES.

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: Your Committee on Standing Rules of the Senate have had under consideration the resolution introduced January twenty-sixth, by Mr. Vrooman, concerning the appointment of a Committee on Viniculture and Viticulture, and now report the same back, and recommend the adoption of the following substitute:

Resolved, That the standing rules of the Senate be amended by adding to Rule XVI the following: "31. Committee on Viniculture and Viticulture, to consist of five members."

CROSS, Chairman.

Substitute of committee adopted.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 81—An Act entitled "An Act to amend section six hundred and thirteen of an Act entitled 'An Act to establish a Civil Code,'" approved March 21, 1872, relating to cemetery corporations.

Also, Senate Bill No. 83—An Act entitled "An Act to amend section three hundred and fifty-nine of an Act entitled 'An Act to establish a Civil Code,'" approved March 21, 1872, relating to powers of corporations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KELLOGG, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage respectfully submit the following resolution:

Resolved, That the two Gatekeepers of the Senate be allowed a per diem of four dollars per day, payable out of the Contingent Fund of the Senate—and respectfully recommend that it do pass.

Adopted.

Also:

Resolved, That the Mail Carrier of the Senate be allowed a per diem of four dollars, payable out of the Contingent Fund of the Senate—and respectfully recommend that it do pass.

Adopted.

Also:

Resolved, That the Chaplain of the Senate be allowed a per diem of five dollars, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Mr. Knight moved to amend, by making the amount per diem six dollars instead of five dollars.

Ayes and noes demanded on the motion, by Senators Knight, Wright, and Drum.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Dougherty, Drum, Hurlburt, Kelly, Kellogg, Knight, McClure, Palmieri, Perry, Routier, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—23.

NOES—Messrs. Cross, Days, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, Parker, Parkinson, Reddy, Saxe, and Spencer of Napa—15.

The question recurring on the adoption of the resolution, the same was adopted.

Also:

Resolved, That Jas. Toohey be and is hereby allowed two weeks' pay as Porter on the floor of the Senate Chamber, commencing on the fifth day of January, 1885, at the per diem of four dollars, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also :

Resolved, That H. J. Lynch be and is hereby appointed an assistant Journal Clerk at a per diem to be hereafter fixed, the same to be paid out of the appropriation for contingent expenses of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Lost.

Also :

Resolved, That Thomas McGann be and he is hereby allowed three days' pay as Mail Carrier from January 16 to January 19, 1885, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also :

Resolved, That the two Assistant Journal Clerks be allowed the same per diem as clerks at the desk, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also :

Resolved, That Nathan Jones be and he is hereby allowed two days' pay as Gatekeeper from the sixteenth day of January to the nineteenth day of January, 1885, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also :

Resolved, That L. W. Maslin be appointed Porter of the Judiciary Committee, at a per diem of four dollars, to begin with January 21, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also :

Resolved, That the Watchmen of the Senate be allowed a per diem of five dollars, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and offer the following as a substitute:

Resolved, That the Watchmen of the Senate be allowed a per diem of four dollars each, to be paid out of the Contingent Fund of the Senate.

Substitute of committee adopted.

Also :

Resolved, That Joseph Van Praag be allowed the per diem allowed Porters for work done as Porter of Committee Rooms from January 5 to January 21, 1885, to be paid out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully offer the following as a substitute therefor:

Resolved, That Joseph Van Praag be allowed a per diem of four dollars for work done as Porter of Committee Rooms from January 5 to January 21, 1885, to be paid out of the Contingent Fund of the Senate.

Substitute of committee adopted.

Also :

Resolved, That each member be allowed the sum of twenty-five dollars for contingent expenses, payable out of the fund for the contingent expenses of the Senate.

Also :

Resolved, That the sum of four hundred dollars be and is hereby appropriated in favor of T. L. Thompson, Secretary of State, for the members of the Senate: said sum to be paid out of the appropriation for the contingent expenses of the Senate, and deducted from the twenty-five dollars allowed (pro rata) each Senator. The Secretary of State is hereby directed to keep an account of the stamps furnished each member, and report the same before the close of the session.

Have had the same under consideration, and respectfully report the following as a substitute therefor:

Resolved, That the sum of four hundred dollars be and is hereby appropriated in favor of T. L. Thompson, Secretary of State, for the purchase of postage stamps for the use of members of the Senate and President of the Senate: said sum to be paid out of the appropriation for the contingent expenses of the Senate, and deducted from the twenty-five dollars allowed (pro rata) each Senator.

Also :

Resolved, further, that each member of the Senate, the President of the Senate included, be and he is hereby allowed stationery to be drawn from the office of the Secretary of State in the sum of ten dollars: *provided, however*, that should the requisition for stamps and stationery of any Senator not amount to twenty-five dollars, he should be entitled to a warrant at the close of the session, drawn on the Contingent Fund of the Senate, for a sum, that together with his requisition for stamps and stationery, shall aggregate twenty-five dollars, and the Controller of State is hereby authorized to draw his warrant as above provided, for such amounts as the books of the Secretary of State may show to be due.

LYNCH, Chairman.

Mr. Cross moved that the amount to be appropriated for postage stamps be increased from four hundred dollars to six hundred and fifteen dollars.

Carried.

Mr. Cross moved that the resolution be amended so as to include the President of the Senate.

Carried.

Mr. Lynch moved that the amount allowed for stationery be increased from ten dollars to fifteen dollars.

Carried.

Mr. McClure offered the following as a substitute :

That each Senator, and the President of the Senate, be allowed the sum of twenty-five dollars for contingent expenses, less the amount already drawn from the Secretary of State's office, payable out of the Contingent Fund of the Senate.

Ayes and noes demanded on the adoption of the substitute, by Senators Kellogg, Reddy, and Creighton.

Roll called, and the substitute adopted by the following vote :

AYES—Messrs. Beauvais, Boone, Days, DeLong, Del Valle, Dougherty, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—25.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Drum, Filcher, Hurlburt, Kellogg, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus—14.

Mr. Whitney moved that the report of the committee, with amendments of the Senate, be rereferred to the Committee on Attachés, Contingent Expenses, and Mileage.

Carried.

REPORTS OF COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 13—Entitled "An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Corporations.

Also, Senate Bill No. 25—Entitled "An Act to amend section one thousand seven hundred and twenty-six of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, in relation to Public Administrators"—and do now report the same back, and recommend that it do pass.

Also, Senate Bill No. 28—Entitled "An Act to amend section three thousand five hundred and seventy-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to public lands sold which are not the property of the State"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 30—Entitled "An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases"—and do now report the same back to the Senate, with amendments thereto, and recommend its passage as amended.

Also, Senate Bill No. 32—Entitled "An Act to authorize the District Attorney of the City and County of San Francisco to appoint a third assistant"—and do now report the same back to the Senate, and recommend that it do not pass, because your committee is of the opinion that the same is unconstitutional.

Also, Senate Bill No. 68—Entitled "An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks"—and do now report the same back to the Senate, with amendments thereto, and recommend its passage as amended.

Also, Senate Bill No. 69—Entitled "An Act to amend article three, chapter seven, title seven, of the Political Code, relating to trademarks"—and do now report the same back, with amendments thereto, and do recommend that it do pass as amended.

Also, Senate Concurrent Resolution No. 12—"Declaratory of the proposal, submission, and ratification of certain amendments to the Constitution"—and do now report the same back, and recommend the passage thereof.

Also, Senate Bill No. 116—Entitled "An Act to amend section two hundred and forty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the number and designation of officers and employes of the Senate"—and do now report the same back to the Senate, with an amendment thereto, and do recommend its passage as amended.

CROSS, Chairman.

Mr. Vrooman moved that Senate Joint Resolution No. 2 be changed to Senate Concurrent Resolution No. 12.

So ordered.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was ordered Senate Bill No. 17—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

RESOLUTIONS.

Mr. Cross moved that Senate Concurrent Resolution No. 12 be taken up.

So ordered.

Senate Concurrent Resolution No. 12—Declaratory of the proposal, submission, and ratification of certain amendments to the Constitution:

CONCURRENT RESOLUTION, DECLARATORY OF THE PROPOSAL, SUBMISSION, AND RATIFICATION OF CERTAIN AMENDMENTS TO THE CONSTITUTION.

WHEREAS, The Legislature of this State, at its twenty-fifth session, commencing on the first Monday of January, A. D. one thousand eight hundred and eighty-three, proposed the certain amendments to the Constitution of the State, herein recited as "Amendment Number One,"

and "Amendment Number Two," and at its twenty-fifth (extra) session, commencing on the twenty-fourth day of March, A. D. one thousand eight hundred and eighty-four, proposed the amendment to the Constitution herein recited as "Amendment Number Three," and two thirds of all the members elected to each of the two Houses voted in favor of each of said amendments, and each of such proposed amendments was entered in their journals with the yeas and nays taken thereon; and whereas, the said Legislature duly submitted each of such proposed amendments to the people to be voted on at the next general election, after publication, by advertising the same for three months next preceding said election, and provided for the manner of voting, and the canvassing of the votes, and for the inclusion of each of said amendments in the proclamation of the Governor for said election, and their designation therein by numbers for separate voting in the order of their proposal; and whereas, said publication was made, and each of said proposed amendments was included and designated by its proper number in said proclamation, and the votes thereon have been canvassed as provided by law, and at said general election held on the fourth day of November, A. D. one thousand eight hundred and eighty-four, the people approved and ratified each of said amendments by a majority of the qualified electors voting separately thereon; therefore,

Resolved, by the Senate and Assembly, That the following are the said amendments:

AMENDMENT NUMBER ONE.

That section nineteen, of article eleven, of the Constitution of the State of California, be amended so as to read as follows:

Section 19. In any city where there are no public works owned and controlled by the municipality for supplying the same with water, or artificial light, any individual, or any company, duly incorporated for such purpose, under and by authority of the laws of this State, shall, under the direction of the Superintendent of Streets, or other officer in control thereof, and under such general regulations as the municipality may prescribe for damages, and indemnity for damages, have the privilege of using the public streets and thoroughfares thereof, and of laying down pipes and conduits therein, and connections therewith, so far as may be necessary for introducing into and supplying such city and its inhabitants, either with gas light, or other illuminating light, or with fresh water for domestic and all other purposes, upon the condition that the municipal government shall have the right to regulate the charges thereof.

AMENDMENT NUMBER TWO.

That section seven, of article nine, of the Constitution of the State of California, be amended so as to read as follows:

Section 7. The Governor, Superintendent of Public Instruction, and the Principals of the State Normal Schools, shall constitute the State Board of Education, and shall compile, or cause to be compiled, and adopt a uniform series of text-books for use in the common schools throughout the State. The State Board may cause such text-books, when adopted, to be printed and published by the Superintendent of State Printing, at the State Printing Office, and when so printed and published, to be distributed and sold at the cost price of printing, publishing, and distributing the same. The text-books so adopted shall continue in use not less than four years; and said State Board shall perform such other duties as may be prescribed by law. The Legislature shall provide for a Board of Education in each county in the State. The County Superintendents, and the County Boards of Education, shall have control of the examination of teachers, and the granting of teachers' certificates, within their respective jurisdictions.

AMENDMENT NUMBER THREE.

That section nine, of article thirteen, of the Constitution of the State of California, be amended so as to read as follows:

Section 9. A State Board of Equalization, consisting of one member from each Congressional District in this State, as the same existed in eighteen hundred and seventy-nine, shall be elected by the qualified electors of their respective districts at the general election to be held in the year one thousand eight hundred and eighty-six, and at each gubernatorial election thereafter, whose term of office shall be for four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purposes of taxation. The Controller of State shall be ex officio a member of the Board. The Boards of Supervisors of the several counties of the State shall constitute Boards of Equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; *provided*, such State and County Boards of Equalization are hereby authorized and empowered, under such rules of notice as the County Boards may prescribe as to the county assessments, and under such rules of notice as the State Board may prescribe as to the action of the State Board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; *provided*, that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The present State Board of Equalization shall continue in office until their successors, as herein provided for, shall be elected and shall qualify. The Legislature shall have power to redistrict the State into four districts, as nearly equal in population as practical, and to provide for the election of members of said Board of Equalization.

And that each of said amendments has been constitutionally proposed, adopted, entered, and submitted to the people by the Legislature, and has been constitutionally approved and ratified by the people, and has become a part of the Constitution.

Resolution read, and adopted by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—35.
 NAYS—None.

INTRODUCTION OF BILLS (OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Kellogg: Senate Bill No. 153—An Act to amend section eight hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to place of trial of actions in Justices' Courts.

Referred to Committee on Judiciary.

By Mr. Del Valle: Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. Lowe: Senate Bill No. 155—An Act to establish a boys' reform school, for the correction and reformation of juvenile offenders.

Referred to Committee on Public Morals.

By Mr. Spencer of Napa: Senate Bill No. 156—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the duties of School Superintendent.

Referred to Committee on Education.

Also, Senate Bill No. 157—An Act to amend section one thousand and ninety-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Judiciary.

By Mr. McClure: Senate Bill No. 158—An Act to regulate fees of Clerks of Superior Courts in the State of California.

Referred to Committee on Judiciary.

Also, Senate Bill No. 159—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Referred to Committee on Judiciary.

Also, Senate Bill No. 160—An Act to amend sections five hundred and seventy-seven and six hundred and seventy of the Code of Civil Procedure of the State of California, relating to judgments and judgment rolls in civil cases.

Referred to Committee on Judiciary.

Also, Senate Bill No. 161—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto to be numbered and known as section four thousand four hundred and fifteen, relating to the legislative powers of cities, cities and counties, and incorporated towns.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 162—An Act to prohibit the burial of dead bodies within the corporate limits of cities, towns, and cities and counties, and to provide for burials in other places.

Referred to Committee on Hospitals.

By Mr. Spencer of Stanislaus: Senate Bill No. 163—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the State Board of Equalization, for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Finance.

Also, Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove.

By Mr. Perry: Senate Bill No. 165—An Act to empower the State Board of Education to preserve and protect the rights of the State of California in and to the text-books to be adopted by said Board.

Referred to Committee on Education.

By Mr. Wright: Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery and providing ways and means therefor.

Referred to Committee on Fish and Game.

By Mr. Boone: Senate Bill No. 167—An Act to regulate the practice of pharmacy, the sale of medicines and poison, to provide for the inspection of drugs and medicines, and to prevent and punish the adulterations of the same.

Referred to Committee on Hospitals.

By Mr. Johnson of San Bernardino: Senate Bill No. 168—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery and blank books, and county advertising.

Referred to Committee on Counties, County Governments, and Township Organization.

By Mr. Vrooman: Senate Bill No. 169—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Referred to Committee on Judiciary.

By Mr. Foster: Senate Bill No. 170—An Act to establish a branch State Normal School.

Referred to Committee on Education.

By Mr. Routier: Senate Bill No. 171—An Act to enlarge the duties of the Board of State Viticultural Commissioners.

Referred to Committee on Viticulture and Viniculture.

RESOLUTION—(OUT OF ORDER).

By Mr. Lowe:

Resolved, That the per diem of the Assistant Minute Clerk of the Senate be the same as the clerks at the desk, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE CONCURRENT RESOLUTION NO. 13.

By Mr. Vrooman :

Resolved by the Senate, the Assembly concurring, That the Senate and Assembly in Joint Convention, on Wednesday January 28, 1885, immediately after the election of United States Senator, will proceed to the election of five Trustees of the State Library, to take office at the expiration of the term of the present incumbents, to wit: on the twenty-eighth day of February, 1886.

Resolution read, and adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 26, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Finance.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Days: Senate Bill No. 172—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to bribery.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 173—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Referred to Committee on City, City and County, and Town Governments.

THIRD READING OF BILLS.

Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

CALL OF THE SENATE.

Pending the reading of this bill, Mr. Perry moved a call of the Senate.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Mr. Spencer of Napa moved to dispense with further proceedings under the call of the Senate.

Senate Bill No. 17.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Title read and approved.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Chandler, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 28, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Chairman announced the following standing committee of the Senate:

Committee on Viniculture and Viticulture—Messrs. Mahler, Chairman; Del Valle, Routier, Saxe, and Spencer of Napa.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISON AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on State Prison and Prison Buildings, to whom was referred Senate Concurrent Resolution No. 5—"Relative to directing the Governor to appoint a committee of five citizens to inquire into the subject of penology, as applicable to the condition of prison affairs within this State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

REDDY, Chairman.

Mr. Perry moved that Senate Concurrent Resolution No. 5 be adopted.

Mr. Knight moved to strike out of the preamble the following words: "Whereas, That criminal element in the State of California is increasing at an alarming extent, and."

Motion to strike out was carried.

The motion recurring on the adoption of the resolution, the same was adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 19—Entitled "An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-eight, one thousand four hundred and eighty-nine, one thousand four hundred and ninety, one thousand four hundred and ninety-one, one thousand four hundred and ninety-two, one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, and one thousand five hundred and seven, and to repeal section one thousand five hundred and six of the Political Code, relating to State Normal Schools and the organization, powers, and duties of Boards of Trustees of such schools"—do now report the same back, and recommend that it do pass.

Also, Senate Bill No. 31—Entitled "An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books"—your committee have had the same under consideration, and respectfully report the same back, without recommendation.

JOHNSON, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Concurrent Resolution No. 2—Relating to viticultural industries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

ON CLAIMS.

SENATE CHAMBER, Sacramento, January 27, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

Mr. Dougherty asked permission to withdraw Senate Bill No. 21. There being no objection, the same was withdrawn.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Baldwin: Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Mr. Reddy, by request: Senate Bill No. 175—An Act to establish a State detective force for the better enforcement of the laws.

Referred to Committee on Judiciary.

By Mr. Parker: Senate Bill No. 176—An Act concerning municipal corporations.

Referred to Committee on City, City and County, and Town Governments.

By Mr. McClure, by request: Senate Bill No. 177—An Act to provide for the disposal of dead bodies by cremation.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Knight: Senate Bill No. 178—An Act to amend title five, chapter one, of the Political Code, by adding thereto a new article, to be known as article seven.

Referred to Committee on Hospitals.

By Mr. Boone: Senate Bill No. 179—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Penal Code," approved April 16, 1880, relative to Grand Juries.

Referred to Committee on Judiciary.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. McClure, the Senate proceeded to meet the House in Joint Assembly, for the election of a United States Senator.

IN JOINT ASSEMBLY.

Wednesday, January 28, 1885, twelve o'clock meridian, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, the Senate and Assembly met in Joint Assembly, the Hon. John Daggett, Lieutenant-Governor and President of the Senate, in conjunction with the Hon. W. H. Parks, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Rountree, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The Chief Clerk of the Assembly called the roll of the Assembly, and the following members responded:

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhler, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Finckh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lond, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress, requiring a Joint Assembly to be held this day, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person voted so for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in Joint Assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each House, or if either House has failed to take proceedings as required by that section, the Joint Assembly shall then proceed to choose by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the Joint Assembly, a

majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock m. of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate read from the Journal of the Senate so much of the proceedings of Tuesday, the twenty-seventh instant—the same being the second Tuesday after the organization of the twenty-sixth session of the Legislature—as relates to a ballot for the election of a United States Senator to succeed the Hon. James T. Farley, whereby it appeared that forty Senators were present and voted, each his choice, and that the Hon. Leland Stanford received twenty votes; the Hon. George Hearst received sixteen votes; the Hon. Niles Searls received one vote, and the Hon. James T. Farley received three votes.

The Chief Clerk of the Assembly read so much of the Journal of the Assembly as related to the proceedings of that body, in regard to the election of a United States Senator, held in accordance with an Act of Congress above referred to, and it appeared that seventy-eight members of the Assembly were present, and voted each for his choice, and that Hon. Leland Stanford had received fifty-eight votes, a majority of all the votes cast, and Hon. George Hearst received twenty votes.

The Speaker announced the vote, and declared that the Hon. Leland Stanford, having received a majority of the votes of the whole House, is the choice of the Assembly of the State of California for United States Senator for the term commencing the fourth day of March, 1885.

The President of the Senate then announced that, as there had been no choice for United States Senator in both Houses of the Legislature yesterday, nominations for United States Senator for the State of California, for six years, beginning on the fourth day of March, A. D. 1885, be now in order.

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. Parks placed in nomination the Hon. Leland Stanford.

Mr. Spencer of Napa placed in nomination the Hon. George Hearst.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Hearst—Messrs. Baldwin, Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Stanford—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Searls—Mr. Cross.

For Farley—Messrs. Dougherty and Kelly.

The Chief Clerk of the Assembly called the roll of the House, and each member present pronounced the name of the person for whom he voted, as follows:

For Stanford—Messrs. Allen, Banbury, Barnes, Buhkert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McLunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

For Hearst—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, McDonald, Moffitt, Morris, Munday, and Watson of El Dorado.

The President of the Senate then announced the result of the ballot, as follows:

| | |
|----------------------------------|-----|
| Whole number of votes cast | 119 |
| Necessary to a choice | 60 |
| Leland Stanford received | 79 |
| George Hearst received | 37 |
| Niles Searls received | 1 |
| James T. Farley received | 2 |

Hon. Leland Stanford, having received a majority of all the votes cast by the members of both Houses of the Legislature, present and voting in Joint Assembly, I now declare him duly elected United States Senator for the State of California, for six years, beginning on the fourth day of March, A. D. 1885.

Mr. McClure moved that the minutes of the proceedings in the Joint Convention be read.

So ordered, and minutes approved.

At one o'clock and five minutes P. M., the President of the Senate announced that both Houses, having performed their duties regarding the election of a United States Senator, are now dissolved.

JOHN DAGGETT,
President of the Senate.
W. H. PARKS,
Speaker of the Assembly.

REASSEMBLED.

At one o'clock and ten minutes P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Fitcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

RECESS.

At one o'clock and twelve minutes P. M., on motion of Mr. Vrooman, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Also, Senate Bill No. 73—An Act to grant to Boards of Health or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Also, Senate Concurrent Resolution No. 10—Relative to adulterations of articles of food.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended by the committee.

KNIGHT, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended Senate Concurrent Resolution No. 13, so as to read: "By inviting your honorable body to meet the Assembly in Joint Convention in the Assembly Chamber January 29, 1885, at twelve o'clock M.," instead of "this day," for the purpose of electing a Board of State Library Trustees.

FRANK D. RYAN, Chief Clerk.

Mr. Kellogg moved that the Senate concur in the amendment.
Carried.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Mahler: Senate Bill No. 180—An Act to add to part two, division two, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws.

Referred to Committee on Mines, Drainage, and Mining Debris.

RECESS.

At two o'clock and forty minutes P. M., Mr. Whitney stated that United States Senator Leland Stanford was at the bar of the House, and moved that a recess of fifteen minutes be taken, for the purpose of allowing Senators to meet and be presented to him.

So ordered.

REASSEMBLED.

At three o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Hurlburt: Senate Bill No. 181—An Act to add a new section to the Code of Civil Procedure, to be designated as section six hundred and thirty-five, relating to findings in civil cases.

Referred to Committee on Judiciary.

By Mr. Cross, by request: Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. Steele, by request: Senate Bill No. 183—An Act to amend section five thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to immigration.

Referred to Committee on Judiciary.

Also, by request, Senate Bill No. 184—An Act for the relief of P. A. Forrester, providing for the payment to him of his salary, and expenses of office as Commissioner of Immigration for the port of San Francisco, from April 1, 1883, to December 31, 1884.

Referred to Committee on Judiciary.

By Mr. Vrooman, by request: Senate Bill No. 185—An Act to facilitate the giving of bonds required by law.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Perry:

Resolved, That R. W. Wollard, Clerk of the Committee on State Prisons and Prison Buildings, be and he is hereby allowed the sum of five dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Also:

Resolved, That J. F. Burris, Stenographer of said committee, be and he is hereby allowed the sum of ten dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.
Also:

Resolved, That P. H. Maloney, Sergeant-at-Arms of said committee, be and he is hereby allowed the sum of five dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.
By Mr. Taylor:

Resolved, That the Pages of the Senate be in attendance in the Senate Chamber from nine o'clock A. M. to twelve o'clock M., and from one o'clock and thirty minutes P. M. to five o'clock P. M., of each week day.

Mr. Knight moved to amend, by striking out "nine" and inserting "nine o'clock and thirty minutes."

Carried.

Mr. Knight moved to amend, by striking out "one o'clock and thirty minutes" and inserting "two."

Carried.

Mr. Knight moved to amend, by striking out "five" and inserting "four."

On a division of the Senate, the motion was carried—nineteen ayes, nine noes.

Mr. McClure moved that the resolution be indefinitely postponed.

Carried.

Mr. Spencer of Napa moved to take up Senate Concurrent Resolution No. 2.

Carried.

Senate Concurrent Resolution No. 2—Relating to viticultural industries.

Resolution read.

Mr. Spencer of Napa moved the adoption of the resolution.

Ayes and noes demanded by Senators Steele, Vrooman, and Boone.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Wallis, and Wright—33.

NOES—Messrs. Steele and Vrooman—2.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution by Mr. Lowe:

Resolved, That the per diem of the Assistant Minute Clerk of the Senate be the same as the clerks at the desk, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYNCH, Chairman.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Lynch: Senate Bill No. 186—An Act to amend sections of the Political Code, relating to the militia, as follows: Sections one

thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eight, two thousand and twenty-two, two thousand and thirty-six, two thousand and twenty-eight, two thousand and ninety-three, two thousand and ninety-four, and repeal section two thousand and twenty-seven.

Referred to Committee on Military Affairs.

RESOLUTION.

By Mr. Boone:

Resolved, That the Secretary of State be and he is hereby instructed to procure a sufficient number of sets of the small Codes and of Desty's Constitution of the State of California to supply a set of each to each member of the Senate.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CHINESE AND CHINESE IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: Your Committee on Chinese and Chinese Immigration, to whom was referred Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLY, Chairman.

Mr. Whitney moved to take up Senate Concurrent Resolution No. 6.
Carried.

Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Read and adopted.

FIRST READING OF BILLS.

Senate Bill No. 1—An Act to amend section one thousand three hundred and sixty of the Civil Code of California, and prescribe the order in which the property of a testator must be resorted to for legacies.

First reading refused.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as section sixty-three.

On motion of Mr. Days, the consideration of Senate Bill No. 9 was postponed until Monday next.

Senate Bill No. 10—An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property.

On motion of Mr. Days, the consideration of Senate Bill No. 10 was postponed until Friday next.

Senate Bill No. 33—An Act to regulate the sale and use of opium, or any preparation thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 15—An Act to amend section one thousand eight

hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1882.

Read first time, and placed on file for second reading.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Read first time, and placed on file for second reading.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit-tree pests and diseases, and to provide for their extirpation.

Read first time, and placed on file for second reading.

Senate Bill No. 81—An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations.

On motion of Mr. Vrooman, this bill was passed on the file.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read first time, and placed on file for second reading.

Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

Read first time, and placed on file for second reading.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Political Code, and to provide for exceptions in criminal cases.

Read first time, and placed on file for second reading.

Senate Bill No. 32—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a third assistant.

First reading refused.

Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks.

Read first time and placed on file for second reading.

Senate Bill No. 69—An Act to amend article three, chapter seven, title seven, of the Political Code, relative to trademarks.

Read first time, and placed on file for second reading.

Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employes of the Senate.

Read first time, and placed on file for second reading.

MESSAGE FROM THE GOVERNOR.

Mr. Kellogg moved that the Senate proceed to take up the Governor's message and consider the gubernatorial appointments.

Carried.

CALL OF THE SENATE.

Mr. Cross moved a call of the Senate.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Mr. Days moved to dispense with further proceedings under the call of the Senate.

Carried.

CONSIDERATION OF GOVERNOR'S MESSAGE.

Read as follows:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 28, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have this day nominated and with the consent of the Senate have appointed the following persons to the following offices:

John H. Wise, a State Harbor Commissioner for the term of four years, vice himself, whose present term expires March 12, 1885.

A. C. Paulsell, a State Harbor Commissioner for the term of four years, vice himself, whose present term expires March 12, 1886.

John Martin, a member of the Board of Port Wardens for the port of San Francisco, for the term of four years, vice himself, whose present term expires March 12, 1886.

And I respectfully ask the consent of the Senate to the same.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

Upon the question, "Will the Senate advise and consent to the appointment of John H. Wise, of San Francisco, as State Harbor Commissioner for the term of four years, vice himself, term expires March 12, 1885?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Whereupon the President announced the appointment of John H. Wise as State Harbor Commissioner, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of A. C. Paulsell, as State Harbor Commissioner for the term of four years, vice himself, whose present term expires March 12, 1886?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Whereupon the President announced the appointment of A. C. Paulsell as State Harbor Commissioner, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of John Martin as a member of the Board of Port Wardens for the port of San Francisco, for the term of four years, vice himself, whose present term expires March 12, 1886?"

Pending roll call, Mr. Lynch moved that the confirmation of John Martin be postponed until Friday next, immediately after reading of Journal.

Ayes and noes demanded on the motion, by Senators Lynch, Creighton, and Parker.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Del Valle, Dougherty, Filcher, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—14.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Foster, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—24.

The question recurring upon the confirmation of John Martin, the roll was called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—35.

NOES—Messrs. Creighton, Lynch, Spencer of Stanislaus, and Taylor—4.

Whereupon the President announced the appointment of John Martin as a member of the Board of Port Wardens, duly confirmed.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Perry, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 29, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Perry and Baldwin.

Mr. Drum explained that had he been present yesterday during the roll call on confirmation of appointments made by the Governor, he would have voted "aye" in the case of Messrs. Wise and Paulsell, and "no" in the case of Mr. Martin.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 14—Entitled "An Act to amend sections one thousand three hundred and fifty seven and one thousand three hundred and fifty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to add four new sections thereto, to be known as sections one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, and one thousand three hundred and sixty-nine, all relating to political primary elections"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 34—Entitled "An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, relative to the removal of actions before trial"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 43—Entitled "An Act to amend section one hundred and ninety-eight of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the qualification of jurors"—and a majority of your committee do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 46—Entitled "An Act to amend section sixty-nine of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relative to the issuance of marriage licenses"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 48—Entitled "An Act to amend the Constitution of the State of California in regard to the manufacture and sale of intoxicating liquors"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 53—Entitled "An Act amending sections one, four, and ten, of article thirteen, of the Constitution of the State of California"—and do now report the same back to the Senate, and recommend that the same be referred to the Committee on Finance.

Also, Senate Bill No. 7—Entitled "An Act to propose an amendment to article twenty of the Constitution of the State of California, in relation to miscellaneous subjects, by adding a new section thereto, to be known as section twenty-one, in relation to the equalization of electoral districts"—and do now report the same back to the Senate, and recommend that it do not pass; your committee believing, however, that the principle of equal electoral supervisor districts is a correct one, but that the Constitution is already too large, and that inasmuch as the Constitution does not prohibit the redistricting of supervisor districts, the same object sought to be attained by this bill through an amendment to the Constitution can be attained by statute.

CROSS, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. PRESIDENT: The undersigned, constituting a minority of your Committee on Judiciary, dissent from the report of the majority of said committee on Senate Bill No. 43—Entitled "An Act to amend section one hundred and ninety-eight of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the qualifications of jurors," and recommend that said bill do pass, after being amended by striking out the word "six" in line seven of section one of said Act, and inserting instead thereof the word "twelve," and upon the amendment of section two hundred and five of the Code of Civil Procedure to conform to the purposes of said Senate Bill No. 43.

PATRICK REDDY.
W. W. KELLOGG.

Mr. Steele moved that Senate Bill No. 48—Entitled "An Act to amend the Constitution of the State of California, in regard to the manufacture and sale of intoxicating liquors," be referred to Committee on Public Morals.

So ordered.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 12—Relative to tariff on prunes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Concurrent Resolution No. 1—Relative to Mexican Pension Bill in United States Congress—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITNEY, Chairman pro tempore.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Days: Senate Bill No. 187—An Act to provide for the establishment of industrial schools, and for the maintenance and government of the same, and of all such as are now established by law, and for the commitment of children thereto.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Lowe: Senate Bill No. 188—Proposed amendment to article six of the Constitution of the State of California, relating to the Judicial Department of the Government.

Referred to Committee on Judiciary.

By Mr. Langford: Senate Bill No. 189—An Act to repeal chapter four hundred and twenty-nine of the Political Code, entitled "An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers."

Referred to Committee on Public and Swamp and Overflowed Lands.

SECOND READING OF BILLS.

Senate Bill No. 33—An Act to regulate the sale and use of opium, or any preparation thereof.

The following substitute, offered by the Judiciary Committee, was read, adopted, and ordered printed:

SUBSTITUTE TO SENATE BILL NO. 33—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

The People of the State of California, represented in the Senate and Assembly, do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code, to be known and numbered section three hundred and eight.

Section 308. The sale or use of opium, or any preparation thereof, is hereby prohibited: *provided*, that when a prescription, duly issued by a regularly practicing physician of this State, shall indicate that the use of opium, or any preparation thereof, is necessary for medicinal purposes, any regular druggist or pharmacist of this State may compound and sell such prescription, and such druggist or pharmacist shall forthwith cause such prescription to be inscribed in a book, open at all times to public inspection, showing the quantity sold, the name and address of the person to whom and for whom sold, and the name and address of the physician prescribing the same: *provided*, that wholesale and retail druggists may purchase the same for the purposes above provided. Any person violating the provisions of this section shall be punished by imprisonment in the county jail for a period not less than one year, or by a fine of not less than five hundred dollars, or by both fine and imprisonment.

SEC. 2. All Acts and parts of Acts in conflict with the foregoing are hereby repealed.

Mr. Hurlburt moved, on account of the absence of the author of the bill, that Senate Bill No. 33 be passed on file.

So ordered.

The Senators now repaired to the Assembly Chamber to meet the Assembly in Joint Convention.

IN JOINT CONVENTION.

THURSDAY, January 29, 1885.

Pursuant to concurrent resolution, previously adopted by both Houses, the Senate met in Joint Convention, for the purpose of electing five Trustees of the State Library, as provided for in section two thousand two hundred and ninety-two of the Political Code, to elect five Trustees of the State Library for a term of four years from February 28, 1886, to fill the vacancies which will occur by the expiration of the terms of office of I. S. Belcher, A. C. Freeman, J. J. Owen, Matt F. Johnson, and E. W. Maslin. At the hour of twelve o'clock M., the Joint Convention was called to order, the President of the Senate, in conjunction with the Speaker of the Assembly, presiding.

The roll of the Senate was called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The roll of the Assembly was then called, and the following Assemblymen answered to their names:

Messrs. Ashe, Banbury, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Coreoran, Culver, Daley, Davis, Deveny, DeWitt, Deuling, Douglas, Edwards, Elhson, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kaiben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Wadsworth, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitecomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum of both Houses present.

The President of the Senate declared nominations in order.

Mr. McClure nominated Hon. Isaac S. Belcher of Marysville, Hon. Henry Edgerton of Sacramento, Hon. A. G. Booth of San Francisco, Hon. W. H. Beatty of Sacramento, and Hon. A. C. Freeman of Sacramento.

Mr. Cross nominated Hon. Jo Hamilton, Hon. J. W. Armstrong, Hon. E. W. Maslin, Hon. M. F. Johnson, and Hon. Fred. Cox.

The roll of the Senate was called by the Secretary, with the following result:

For I. S. Belcher, H. Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman—Messrs. Beauvais, Chandler, Days, DeLong, Hurlburt, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F. Johnson, and Johnson of Sonoma—Mr. Cox.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F. Johnson, and Fred. Cox—Messrs. Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Stanislaus, and Taylor.

Senator Johnson of San Bernardino was paired with Senator Baldwin.

Senator Vrooman was paired with Senator Reddy.

Senator Boone was paired with Senator Spencer of Napa.

The roll of the Assembly was called by the Chief Clerk, with the following result:

For I. S. Belcher, H. Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman—Messrs. Allen, Banbury, Buhkert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McClashan, McLunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitecomb, Wood, Woodward, Yule, and Mr. Speaker.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F. Johnson, and Fred. Cox—Messrs. Ashe, Barnett, Beard, Black, Clark, Coleman, Corcoran, DeWitt, Doelling, Goucher, Gregory, Johnson, McDonald, Moffitt, and Watson of El Dorado.

For I. S. Belcher, Jo Hamilton, J. W. Armstrong, E. W. Maslin, and Fred. Cox—Mr. Britt.

For I. S. Belcher, Jo Hamilton, J. W. Armstrong, E. W. Maslin, and M. F. Johnson—Mr. Henry.

Mr. Almy was paired with Mr. Munday.

Mr. Barnes was paired with Mr. Morris.

Mr. Henley was paired with Mr. Russ.

| | |
|-----------------------------------|-----|
| Whole number of votes cast..... | 106 |
| Necessary to a choice..... | 54 |
| I. S. Belcher received..... | 74 |
| Henry Edgerton received..... | 72 |
| A. G. Booth received..... | 72 |
| W. H. Beatty received..... | 72 |
| A. C. Freeman received..... | 72 |
| General Jo Hamilton received..... | 32 |
| J. W. Armstrong received..... | 32 |
| E. W. Maslin received..... | 32 |
| M. F. Johnson received..... | 31 |
| Frederick Cox received..... | 30 |
| George A. Johnson received..... | 1 |

Whereupon the President of the Senate announced that I. S. Belcher, Henry Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman, having each received a majority of all the votes cast in Joint Convention, a majority of all the members elected to both Houses being present and voting, were duly elected Trustees of the State Library, to serve for the term of four years, commencing February 28, 1886.

The minutes of the Joint Convention were read and approved.

At twelve o'clock and fifty-five minutes p. m., the President of the Senate announced that both Houses, having performed their duties regarding the election of five State Library Trustees, the Joint Convention is now dissolved.

REASSEMBLED.

At one o'clock p. m. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright.

LEAVE OF ABSENCE.

The Committee on State Prisons and Prison Buildings was granted leave of absence until next Monday.

RECESS.

At one o'clock and two minutes p. m., on motion of Mr. Lynch, the Senate took a recess until two o'clock and thirty minutes p. m.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

SECOND READING OF BILLS.

Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1882.

Read second time, ordered engrossed, and placed on file for third reading.

Hon. R. F. Del Valle in the chair.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Mr. Cross moved to amend, on line six, section one, by striking out the word "two," between "than and miles," and inserting in lieu thereof, the word "one."

Carried.

Mr. Filcher moved to amend, on line four, section one, by striking out the word "fifteen," and inserting in lieu thereof the word "ten."

Ayes and noes demanded on the motion, by Senators Vrooman, Johnson of San Bernardino, and Steele.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Mahler, Palmieri, Spencer of Napa, Steele, and Whitney—12.

NOES—Messrs. Beauvais, Boone, Cox, Creighton, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, McClure, Parker, Saxe, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—18.

Mr. Johnson moved to amend, on page two, line twenty, by striking out the word "Boards," and inserting in lieu thereof the word "Board."

Carried.

Bill, as amended, read second time, and ordered engrossed.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Read second time, and ordered engrossed, and placed on file for third reading.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read second time, ordered engrossed, and placed on file for third reading.

President Daggett in the chair.

Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Political Code, and to provide for exceptions in criminal cases.

Amendment by the committee adopted, as follows: After the word "taken," line three, section one, add "by either party."

Mr. Kellogg offered the following amendment: I move to amend Senate Bill No. 30 by striking out all of subdivision two, section one thousand one hundred and seventy-two.

Ayes and noes demanded on the amendment, by Senators Days, Vrooman, and Johnson of San Bernardino.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Days, Johnson of Sonoma, Kellogg, Langford, Lowe, Mahler, Saxe, and Steele—11.

NOES—Messrs. Beauvais, Cross, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, McClure, Palmieri, Spencer of Napa, Taylor, Vrooman, and Whitney—13.

Amendments by the committee to sections two and three, as follows, adopted: "Strike out all of sections two and three."

Bill read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks.

Amendments by the committee as follows, adopted:

Strike out all the words and figures in lines two, three, and four, the title thereof, and insert a new title, to read as follows:

An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to counterfeited trademarks.

Strike out the words "one thousand three hundred," in line ten, and the words "one thousand three hundred," and "of chapter twelve," in line eleven, and the words "title nine," in line twelve.

Also, all the words and numbers on line fifteen. Also, strike out all the words and figures on line twenty-six.

Bill read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 69—An Act to amend article three, chapter seven, title seven, of the Political Code, relative to trademarks.

Amendments by the committee, as follows, adopted:

Strike out all the words and figures on lines two, three, and four, and insert a new title, to read as follows:

An Act to amend section three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

Strike out all the words and figures on lines nine, ten, eleven, twelve, and thirteen of page one, and insert in lieu thereof, the following:

Section 1. Section three thousand one hundred and ninety-seven of the Political Code is hereby amended so as to read as follows.

Strike out all the words and figures on lines twenty-five, twenty-six, twenty-seven, and twenty-eight, of page one, and all of line one, page two, and insert in lieu thereof the following:

Section 2. Section three thousand one hundred and ninety-nine of the Political Code is hereby amended so as to read as follows.

Bill read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employes of the Senate.

Amendment by the committee, as follows, adopted: Strike out all of section two of said bill.

Bill read second time, ordered engrossed, and placed on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. McClure: Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Referred to Committee on Corporations.

By Mr. Spencer of Napa: Senate Bill No. 191—An Act relating to revenue and taxation.

Referred to Committee on Judiciary.

Also, Senate Bill No. 192—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

Also, Senate Bill No. 193—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of actions for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any tax.

Referred to Committee on Judiciary.

By Mr. Mahler: Senate Bill No. 194—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California; the same to be erected after the death of James W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may

deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime.

Referred to Committee on Finance.

By Mr. Vrooman: Senate Bill No. 195—An Act providing for the payment of a balance of a judgment due in favor of Trustum C. Gilman against the County of Contra Costa.

Referred to Committee on Claims.

By Mr. Creighton: Senate Bill No. 196—An Act to establish a standard of weights and measures.

Referred to Committee on Corporations.

Also, Senate Bill No. 197—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Referred to Committee on Finance.

By Mr. Lynch: Senate Bill No. 198—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Referred to Committee on Forestry and Yosemite Valley and Mariposa Big Tree Grove.

RESOLUTIONS.

By Mr. Langford:

Resolved, That a new committee, to be known as the Committee on Harbor and Coast Defenses, be added to the standing committees of the Senate.

Mr. McClure moved the indefinite postponement of the resolution.

Mr. Vrooman raised the point of order that the resolution was out of order, as one day's notice was necessary to amend the rules.

The President sustained the point of order.

Mr. Langford gave notice that, on to-morrow, he would offer the above resolution.

By Mr. Del Valle:

Resolved, That the President is hereby authorized to appoint an additional Porter for the Committee Rooms, to receive the same per diem as the other Porters, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Drum: Senate Bill No. 199—An Act for the relief of Esther H. Dennis.

Referred to Committee on Claims.

FIRST READING OF BILLS.

Senate Bill No. 81—An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations.

On motion of Mr. Vrooman, the consideration of Senate Bill No. 81 was postponed until Monday next.

Senate Bill No. 19—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-eight, one thousand four hundred and eighty-nine, one thousand four hundred and ninety, one thousand four hundred and ninety-one, one thousand four hundred and ninety-

two, one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, and one thousand five hundred and seven, and to repeal section one thousand five hundred and six of the Political Code, relating to State Normal Schools, and the organization, powers, and duties of Boards of Trustees of such schools.

Upon the question: "Shall the bill be read the first time?" the ayes and noes were demanded by Senators Del Valle, Filcher, and Taylor.

Roll called, and the bill refused a first reading by the following vote:

AYES—Messrs. Cox, Creighton, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Knight, Lynch, Mahler, Spencer of Stanislaus, and Taylor—12.

NOES—Messrs. Beauvais, Boone, Chandler, Cross, Days, Del Valle, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Saxe, Steele, Vrooman, Wallis, and Whitney—17.

Mr. Del Valle gave notice that, on to-morrow, he would move for a reconsideration of the vote whereby Senate Bill No. 19 was refused a first reading.

Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

Mr. Johnson of Sonoma moved, that, as the author was not present, this bill be made the special order for Tuesday next, immediately after reading the Journal.

So ordered.

Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins.

Read first time, and placed on file for second reading.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read first time, and placed on file for second reading.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were recommended accompanying resolutions and substitute, report the following resolution and preamble, and recommend their adoption:

WHEREAS, By virtue of the contingent expenses necessarily incurred by each member of the Senate, and by authority of section twenty-three, of article four, of the Constitution;

Resolved, That the Secretary of State be and he is hereby directed to certify to the Controller a statement of the amount of stationery, etc., drawn by each Senator and the Lieutenant-Governor, and the Controller be and he is hereby directed to issue his warrant in favor of each member of the Senate and the Lieutenant-Governor for the sum of twenty-five dollars, less the amount of stationery, etc., drawn by said Senators and the Lieutenant-Governor, payable out of the appropriation for the contingent expenses of the Senate.

LYNCH, Chairman.

Adopted.

FIRST READING OF BILLS—(CONTINUED).

Senate Bill No. 73—An Act to grant to Boards of Health or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 10—Relative to adulterations of articles of food.

Resolution read and committee amendment, as follows, adopted :

Resolved by the Senate of the State of California, the Assembly concurring, That his Excellency the Governor be requested to forward copies of these resolutions to each of the Representatives and Senators of this State in Congress.

WHEREAS, Many articles of human consumption imported into the United States are so adulterated by injurious ingredients, deleterious to health and dangerous to life, and to the detriment of the productions and manufactures of the United States; and, whereas, the State Board of Horticulture, acting under the laws of this State, has adopted resolutions as follows:

Resolved, That Congress, now in session, be requested to so amend the revenue laws as to require every article imported, whether dutiable or free, intended for human consumption, to contain a true label of its contents, subject to confiscation by default.

Resolved, That President Cooper be requested to forward to our Representatives and Senators in Congress a copy of these resolutions.

INTRODUCTION OF A BILL—(OUT OF ORDER).

By Mr. Foster: Senate Bill No. 200—An Act to create and establish a State Board of Sheep Husbandry, and to appropriate money for the expenses thereof.

Referred to Committee on Agriculture.

Mr. Vrooman asked to be excused from serving as a member of the Committee on Education, and also from the Committee on Public and Swamp and Overflowed Lands.

So ordered.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 30, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Kellogg, further reading was dispensed with, and the Journal approved.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 30, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to revenue.

Also, Senate Bill No. 88—An Act to amend section three thousand eight hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditors and Assessors for extra services.

Also, Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and appropriate money therefor.

Also, Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Also, Senate Bill No. 133—An Act to limit the time in which State officers who are by law required to make monthly reports to the State Controller, may file said reports.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNIGHT, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 138—An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms," approved April 26, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Senate Bill No. 125—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Counties, County Governments, and Township Organization.

JOHNSON, Chairman.

Bill so referred.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 82—Entitled "An Act to amend section six hundred and thirteen of the Civil Code of the State of California," relating to cemetery corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

LEAVE OF ABSENCE.

The Committee on Hospitals was granted leave of absence until Tuesday next.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Referred to Committee on Public, Swamp, and Overflowed Lands.

Also, Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Referred to Committee on Military Affairs.

Also, Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Referred to Committee on City, City and County, and Town Governments.

Also, Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

Also, Assembly Bill No. 63—An Act to provide for the transfer from the State to municipal corporations.

Referred to Committee on City, City and County, and Town Governments.

Also, Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Referred to Committee on Finance.

Also, Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant, and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Referred to Committee on Finance.

FRANK D. RYAN, Chief Clerk.

SECOND READING OF BILLS.

Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins.

Read second time, and placed on file for third reading.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

On motion of Mr. McClure, Senate Bill No. 27 was passed on file temporarily.

Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Amendments by the committee, as follows, adopted:

Amend section one by striking out the word "or" on line two, and the words "Health Officer" on line three.

Amend section three, by striking out the words "or Health Officer," on line four thereof.

Amend section three, by inserting after the word "submitted," in line six, the words, "to the Board of Health."

Amend section three, by striking out on line seven thereof, the words, "or Health Officer."

Amend section four, by inserting before the word "county," on line one thereof, the words "city and."

Amend section four, by striking out the words "for the Board of Health or Health," on line two, and the word "Officer," on line three, and insert in lieu thereof, the words "and tax levies for general purposes."

Amend section four, by inserting after the word "appropriations," on line four, the words "and tax levies."

Amend section four, by inserting after the word "Act," on line five thereof, the words "such appropriations and levy shall be made at the same time and in the same manner as appropriations and tax levies are made for other city or city and county purposes."

Insert new section, number five, as follows:

SEC. 5. In any city, or city and county, where there is, under existing laws, a Health Officer, but no Board of Health, such Health Officer shall perform all the duties required by this Act of the Board of Health, until a Board of Health shall be created, and in any city, or city and county, where there is no Health Officer or Board of Health, the Board of Supervisors, or City Council, or other municipal legislative Board or body, shall create a Board of Health, who shall perform all the duties required by this Act of the Board of Health or Health Officer.

Make section "five," section "six."

Make section "six," section "seven."

Make section "seven," section "eight."

Bill read second time, ordered engrossed, and placed on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, JANUARY 30, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were referred engrossed Senate Bills Nos. 16, 28, 83, 69, 68, 30, 25, 15, 116, and 97—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Steele: Senate Concurrent Resolution No. 14:

WHEREAS, The Government of the United States has, through its Executive Department, negotiated a treaty with the Republic of Nicaragua for the construction of a ship canal, to be used by the commerce of all nations; and whereas, the construction of said interoceanic canal will be of great benefit to the commercial and productive industries of the Pacific Coast, and will add to the prestige and influence of our entire country; therefore, be it

Resolved, That the Senate and Assembly of the State of California respectfully urge upon the Congress of the United States, now in session, the prompt ratification of the treaty with Nicaragua, and the enactment of the necessary legislation to carry said treaty into effect.

Resolved, That official copies of this resolution be promptly forwarded to the United States Senate and House of Representatives.

Mr. Steele moved the adoption of the resolution.

Mr. Cross moved to refer same to Committee on Federal Relations.

Lost.

Mr. Spencer of Stanislaus moved to make it the special order for Monday next, immediately after reading the Journal.

Lost.

The question recurring on the adoption of the resolution, the ayes and noes were demanded by Senators Kellogg, McClure, and Steele.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, Del Valle, Dougherty, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Saxe, Spencer of Napa, Steele, Vrooman, Whitney, and Wright—23.

NOES—Messrs. Cox, Creighton, Drum, Spencer of Stanislaus, and Taylor—5.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 27, temporarily passed on file, was taken up.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Amendment by the committee, as follows, adopted:

Amend section one by striking out the words, "Be it enacted by the people of the State of California, represented in the Senate and Assembly, that."

Mr. Lynch offered the following substitute for section two:

SEC. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor, who shall select six of them from ten candidates, three of whom shall be nominated by the Directors of the California State Odontological Society, three by the Trustees of the California State Dental Association, and the seventh from the profession at large, who shall not be a member of either organization. Three members of the Board shall be members of the California State Odontological Society, three shall be members of the California State Dental Association, and one appointed from the profession at large. The term for which the members of said Board shall hold their offices shall be seven years, except that the members of the Board first to be appointed under this Act shall hold their offices for the term of one, two, three, four, five, six, and seven years, respectively, and until their successors shall be duly appointed. In case of a vacancy occurring in said Board, such vacancy shall be filled by the Governor, from two names furnished him by the Trustees or Directors of the association or society entitled to such privilege. In case of a vacancy occurring in the membership at large, it shall be filled by the Governor from the dental profession of California at large. In case the Trustees or Directors of the society or association entitled to do so shall fail to name such person or persons, as provided in this section, within thirty days after being so requested, the Governor shall appoint them from the dental profession of California at large.

Substitute adopted.

Amendments of the committee, as follows, adopted:

Amend section four, by inserting on line seven, after the word "dentistry," the words "shall receive a certificate to that effect, and."

Amend section four, by striking out on line seven, the words "the same."

Amend section five, by inserting on line nine, after the words "to take effect," the words "within ten days thereafter."

Amend section eight, by striking out on line two, the word "any," and insert in lieu thereof, the word "the."

Amend section eight, line three, by striking out the words "or counties;" also, by striking out the words "desire to engage in the practice of dentistry," and inserting in lieu thereof, the word "reside."

Amend section eight, line four, by striking out the words "in the several counties in this State."

Amend section eight, line five, by striking out the words "for each registration."

Mr. Lynch offered the following amendment to section ten: An additional section, as a substitute for section ten:

Nothing in this Act shall be so construed as to prohibit any practicing physician from extracting teeth.

Adopted.

Mr. Lynch asked leave to withdraw his substitute to section two, for the purpose of amending same.

So ordered.

Amendment by committee as follows: Add new section numbered ten, as follows:

SEC. 10. This Act shall take effect immediately.

Lost.

Mr. Kellogg moved that this Act shall take effect one year after passage.

Lost.

Mr. Lynch moved to reconsider the vote whereby the substitute to section two was adopted.

Carried.

Mr. Lynch offered the following substitute as amended, for section two.

Substitute for section two, as amended:

SEC. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor, who shall select six of them from candidates, three of whom shall be nominated by the Directors of the California State Odontological Society, three by the Trustees of the California State Dental Association, and the seventh from the profession at large, who shall not be a member of either organization. Three members of this Board shall be members of the California State Odontological Society, three shall be members of the California State Dental Association, and one appointed from the profession at large. The term for which the members of said Board shall hold their offices shall be four years, except that two of the members of the Board first to be appointed under this Act shall hold office for the term of one year, two for the term of two years, two for the term of three years, and one for the term of four years, respectively, and until their successors shall be duly appointed and qualified. In case of a vacancy occurring in said Board such vacancy shall be filled by the Governor, from four names furnished him by the Trustees or Directors of the association or society entitled to such privilege. In case of a vacancy occurring in the membership at large it shall be filled by the Governor from the dental profession of California at large. In case the Trustees or Directors of the society or association entitled to do so, shall fail to name such person or persons, as provided in this section, within thirty days after being so requested, the Governor shall appoint them from the dental profession of California at large.

Adopted.

Bill read second time, ordered engrossed, and placed on file for third reading.

Mr. Boone offered a supplemental resolution to the one offered by him on Wednesday, January 28, 1885, as follows:

And that the Controller be directed to draw his warrant for such sum of money as shall be necessary to purchase such additional copies of the Codes and Constitution as may be necessary for such purpose.

Adopted.

Mr. Del Valle moved a reconsideration of the vote whereby Senate Bill No. 19 was refused a first reading.

The Senate refused to reconsider.

Mr. Kellogg moved that when the Senate adjourn, it adjourn until Monday, February 2, 1885, at one o'clock and thirty minutes P. M.

Carried.

THIRD READING OF BILLS.

Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Drum, Filcher, Foster, Harburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Voorman, Wallis, Whitney, and Wright—30.

NOES—None.

Title read and approved.

INTRODUCTORY OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Cross: Senate Bill No. 201—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be known as section one thousand four hundred and twenty-three.

Referred to Committee on Judiciary.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 16 temporarily passed on file.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lynch, Mahler, McClure, Palmieri, Parker, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—26.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted the Committee on Mines, Drainage, and Mining Debris, to visit the Mining Department of the State University.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Cross, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 2, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Prayer by Bishop Fowler.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Mahler.

PETITIONS.

By Mr. Johnson of Sonoma: From grape growers of Sonoma County, relative to the assessment of bearing vines.

Referred to Committee on Viniculture and Viticulture.

Also—From the Master and Executive Committee of the State Grange, relative to the passage of what is popularly known as the Reagan Act, by the Congress of the United States.

Referred to Committee on Federal Relations.

Also—From the Master and Executive Committee of the State Grange, relative to making the Department of Agriculture a Cabinet office.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 51—Entitled "An Act to amend section four hundred and thirty-three of the Political Code, relative to the duties of the Controller"—and do now report the same back to the Senate, with an amendment thereto, and a majority of your committee recommend that it do pass, as amended.

Also, Senate Bill No. 80—Entitled "An Act creating a State and County Board of Examiners and prescribing their duties and powers"—and do now report the same back to the Senate, with amendments thereto, and recommend the passage thereof, as amended.

Also, Senate Bill No. 59—Entitled "An Act amending section six, of article four, of the Constitution of the State of California, in relation to the election of members of the Legislature"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 62—Entitled "An Act to amend section seven hundred and ninety-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to Notaries Public—and do now report the same back to the Senate, with amendments thereto, and recommend its passage, as amended.

Also, Senate Bill No. 64—Entitled "An Act to amend the Civil Code of the State of California, relating to marriages, by repealing section seventy-five of said Code"—and do now report the same back to the Senate, and recommend that it do pass.

CROSS, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. PRESIDENT: The undersigned, members of your Committee on Judiciary, respectfully recommend that Senate Bill No. 51—Entitled "An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, relative to the removal of actions before trial"—do pass.

GEORGE H. PERRY.
DENNIS SPENCER.
G. A. JOHNSON.
JOHN M. DAYS.
JOHN L. BOONE.

Mr. Reddy moved that Senate Bill No. 51 be recommitted to the Judiciary Committee.

So ordered.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred engrossed Senate Bill No. 73—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

FRANK D. RYAN, Chief Clerk.

Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Spencer of Napa: Senate Bill No. 202—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

Referred to Committee on Judiciary.

Also, Senate Bill No. 203—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending section one thousand and thirty-four thereof, respecting costs on appeal.

Referred to Committee on Judiciary.

Also, Senate Bill No. 204—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand eight hundred and twenty-one, in relation to the collection of personal property tax.

Referred to Committee on Finance.

By Mr. Johnson of Sonoma: Senate Bill No. 205—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in relation to appeals to Superior Courts.

Referred to Committee on Judiciary.

Also, Senate Bill No. 206—An Act to amend section nine hundred and sixty-four of the Code of Civil Procedure, in relation to appeals to Supreme Court.

Referred to Committee on Judiciary.

By Mr. Cross: Senate Bill No. 207—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Referred to Committee on Judiciary.

By Mr. Cox, by request: Senate Bill No. 208—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to actions between the State and individuals.

Referred to Committee on Judiciary.

By Mr. Saxe: Senate Bill No. 209—An Act to amend section three thousand and sixty-two of an Act entitled "An Act to establish a Political Code," relating to Boards of Health.

Referred to Committee on Hospitals.

PETITION.

By Mr. Del Valle: Petition of Emile A. Gaussail, relative to the legal right of Senator E. Palmieri to his seat in the Senate.

Referred to Committee on Elections.

QUESTIONS OF PRIVILEGE.

Mr. Cox arose to a question of privilege upon an article that appeared in the San Francisco Alta, dated February 2, 1885, as copied from the Fresno Expositor, wherein certain language was attributed to him which he had never uttered. He pronounced the same false and libelous in every respect.

Mr. Cross also arose to a question of privilege, upon an editorial appearing in the San Francisco Chronicle, wherein he was charged with being disposed, as Chairman of the Judiciary Committee, to pigeon-hole any bills which may seek to secure the rights of the people against corporations. He denounced the charge as utterly false, without foundation either in the past or present sessions.

THIRD READING OF BILLS.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—28.

NOES—None.

Title read and approved.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—27.

NOES—None.

Title read and approved.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—28.

NOES—None.

Title read and approved.

Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

On motion of Mr. McClure, Senate Bill No. 28 was passed on file.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Political Code, and to provide for exceptions in criminal cases.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lynch, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—25.

NOES—Messrs. Days and Kellogg—2.

Title read and approved.

Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—27.

NOES—None.

Title read and approved.

Senate Bill No. 69—An Act to amend article three, chapter seven, title seven, of the Political Code, relative to trademarks.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—29.

NOES—None.

Title read and approved.

Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employés of the Senate.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—27.

NOES—None.

Title read and approved.

Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—27.

NOES—Messrs. Reddy and Taylor—2.

Title read and approved.

Senate Bills Nos. 27 and 73 passed on file.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Reddy: Senate Bill No. 210—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State.

Referred to Committee on Irrigation and Water Rights.

Mr. Lynch moved that Senate Bill No. 27 be recommitted to a committee of one, to be named by the Chair, with special instructions to amend the tautology of the bill as follows:

Sec. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor, who shall select three of them from the members of the California State Odontological Society, three from the members of the California State Dental Association, and one from the profession at large, who shall not be a member of either of the above named societies.

Mr. Cross moved that further consideration of this bill be postponed, until the printed bill, as amended, is laid upon the desks of the members.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 33—An Act to regulate the sale and use of opium, or any preparation thereof.

Read second time, ordered engrossed, and placed on file for third reading.

SENATE CONCURRENT RESOLUTION.

By Mr. Johnson of Sonoma: Senate Concurrent Resolution No. 15—Relative to a bill now pending in Congress, to make the Department of Agriculture a Cabinet office.

WHEREAS, The House of Representatives of the Congress of the United States has passed an Act to the effect that the Department of Agriculture shall be exalted to a Cabinet office, and the head of said Department shall be a member of the President's Cabinet, and a practical agriculturist; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators in Congress are instructed to use every effort to procure the passage of said Act by the Senate of the United States.

Mr. Johnson of Sonoma moved the adoption of the resolution.

Mr. Days moved to amend, by referring to Committee on Federal Relations.

On a division of the Senate, the motion to refer was carried—ayes 20, noes 4.

FIRST READING OF BILLS.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as section sixty-three.

Read first time, and placed on file for second reading.

Mr. Vrooman moved that Assembly Bill No. 82 be substituted for Senate Bill No. 81, on the file.

So ordered.

Mr. Vrooman asked leave to withdraw Senate Bill No. 81.

So ordered.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read first time, and placed on file for second reading.

Mr. Days asked leave to withdraw Senate Bill No. 7.

So ordered.

Mr. Days moved that Senate Bill No. 10 be passed on file for one day.

So ordered.

Senate Bill No. 14—An Act to amend sections one thousand three hundred and fifty-seven and one thousand three hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add four new sections thereto, to be known as sections one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, and one thousand three hundred and sixty-nine, all relating to political primary elections.

Read first time, and placed on file for second reading.

Senate Bill No. 34—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial.

Read first time, and placed on file for second reading.

Senate Bill No. 43—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

Upon the question, "Shall the bill be read the first time?"

The ayes and noes were demanded by Senators Baldwin, Routier, and Johnson of San Bernardino.

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Cross, Days, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, and Steele—24.

NOES—Messrs. Boone, McClure, Vrooman, Wallis, and Whitney—5.

So ordered.

Read first time, and placed on file for second reading.

Senate Bill No. 46—An Act to amend section sixty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the issuance of marriage licenses.

Read first time, and placed on file for second reading.

Assembly Concurrent Resolution No. 1—Relative to Mexican Veterans' Bill in Congress of the United States.

Mr. Whitney moved the adoption of the resolution.

Resolution adopted.

Assembly Concurrent Resolution No. 12—Relative to tariff on prunes.
Resolution adopted.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read first time, and placed on file for second reading.

Senate Bill No. 88—An Act to amend section three thousand eight hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services.

Mr. Vrooman moved that Senate Bill No. 88 be re-referred to Committee on Finance.

So ordered.

Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 124—An Act to appropriate the sum of two thousand five hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Read first time, and placed on file for second reading.

Senate Bill No. 133—An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports.

Read first time, and placed on file for second reading.

Senate Bill No. 138—An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms."

Read first time, and placed on file for second reading.

The President made the following appointments to fill vacancies caused by the resignation of Mr. Vrooman: On Committee on Education, Mr. Lowe; on Public, Swamp, and Overflowed Lands, Mr. Whitney.

REMONSTRANCE.

Offered by Mr. Baldwin: A protest from owners and renters of land fronting on or adjacent to the north and east bank of the stream called Middle River, to the passage of Senate Bill No. 75, entitled "An Act to declare a part of the branch of the San Joaquin River, known as Middle River, which extends from Rae's Ferry to Fisherman's Landing, not navigable."

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Taylor: Senate Bill No. 211—An Act to establish a branch State Normal School.

Referred to Committee on Education.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Whitney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 3, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

SPECIAL ORDER.

Consideration of Senate Bill No. 31.

Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were ordered engrossed Senate Bills Nos. 27 and 33—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 115—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 55—Entitled "An Act to amend section six hundred and ninety of the Code of Civil Procedure"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 90—Entitled "An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled 'An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations,' approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged, and filed under section two of said Act"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 51—Entitled "An Act to amend section four hundred and thirty-three of the Political Code, relative to the duty of the Controller"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 70—Entitled "An Act to amend section six hundred and ninety of the Code of Civil Procedure, relating to exemption from execution"—and do now report the same

back to the Senate, and recommend that it do not pass, because its provisions have been engrafted in Senate Bill No. 55.

CROSS, Chairman.

MESSAGE FROM THE GOVERNOR.

Consideration of Governor's appointments, as follows:

DIRECTORS OF STATE PRISONS.

September 14, 1883.—W. C. Hendricks of Butte County, vice W. F. McNutt, removed from office, for the term expiring January 12, 1888.

November 15, 1884.—Charles Sonntag of San Francisco, vice Robert Crouch, who declined reappointment, for the term expiring January 12, 1894.

November 28, 1884.—James H. Wilkins of Marin County, vice D. W. Gelwicks, deceased, for the term expiring January 12, 1892.

December 26, 1884.—Robert T. Devlin of Sacramento, vice W. C. Van Fleet, resigned, for the term expiring January 12, 1886.

Mr. Reddy moved that the confirmation of all the Directors of State Prisons be postponed until Monday, February 9, 1885, immediately after the reading of the Journal.

Mr. Boone moved to amend, by excepting Messrs. Sonntag and Devlin.

Mr. Reddy accepted the amendment offered by Mr. Boone.

Mr. Perry moved that the hour of recess be postponed until after the above question is settled.

Lost.

Pending debate, the hour of recess arrived, whereupon the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 156—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, in relation to the duties of School Superintendents"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JOHNSON, Chairman.

FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, to whom was referred Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grant—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CREIGHTON, Chairman.

CALL OF THE SENATE.

Mr. Del Valle moved a call of the Senate.

Lost.

During debate on the motion to postpone, Mr. McClure rose to a point of order, stating that the question was on the motion to postpone, and not on the confirmation of the Directors of State Prisons. The President sustained the point of order.

Mr. Cross moved that leave to proceed be granted Senator Reddy. So ordered.

Upon the motion to postpone, the ayes and noes were demanded by Senators Filcher, Spencer of Stanislaus, and Mahler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, DeLong, Del Valle, Filcher, Foster, Mahler, Parkinson, Reddy, Spencer of Napa, and Spencer of Stanislaus—12.

NOES—Messrs. Beauvais, Cox, Creighton, Cross, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, McClure, Palmieri, Parker, Perry, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, and Whitney—26.

Upon the question, "Will the Senate advise and consent to the appointment of W. C. Hendricks, of Butte County, as Director of State Prisons, vice W. F. McNutt, removed from office, for the term expiring January 12, 1888?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—36.

NOES—Messrs. Filcher and Reddy—2.

Whereupon the President announced the appointment of W. C. Hendricks as Director of State Prisons, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Charles Sonntag, of San Francisco, as Director of State Prisons, vice Robert Crouch, who declined reappointment, for the term expiring January 12, 1894?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—38.

NOES—None.

Whereupon the President announced the appointment of Charles Sonntag as Director of State Prisons, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of James H. Wilkins, of Marin County, as Director of State Prisons, vice D. W. Gelwicks, deceased, for the term expiring January 12, 1892?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—36.

NOES—Messrs. Filcher and Reddy—2.

Whereupon the President announced the appointment of James H. Wilkins as Director of State Prisons, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Robert T. Devlin, of Sacramento, as Director of State Prisons, vice W. C. Van Fleet, resigned, for the term expiring January 12, 1886?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—38.

NOES—None.

Whereupon the President announced the appointment of Robert T. Devlin as Director of State Prisons, duly confirmed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 108—Entitled "An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Lowe: Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory:

Resolved by the Senate of the State of California, the Assembly concurring. That the Superintendent of State Printing be and he is hereby authorized and directed to print in separate form, on good book paper, fifteen hundred copies of such astronomical reports of the Lick Observatory as he may be directed to print by the Governor of the State, in such manner and with such quality of binding as the State Board of Examiners shall prescribe. That two hundred and fifty of such copies shall be for the use of the Senate, four hundred copies for the use of the Assembly, and the remainder shall be delivered to the Trustees of the James Lick Trust, to be distributed in exchange for the publications of other scientific institutions.

Mr. Lowe moved the adoption of the resolution.
Adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Days:

Resolved, That from and after this date the following committees only be allowed clerks as hereinafter follows, and that if any other committee or committees have employed clerks the said last named clerks be and they are hereby discharged:

Committee on Claims—One clerk.

Committee on Corporations—One clerk.

Committee on Education—One clerk.

Committee on Enrolled Bills—One clerk.

Committee on Engrossed Bills—One clerk.

Committee on Finance—One clerk.

Committee on Judiciary—Two clerks.

Committee on Hospitals—One clerk.

Committee on Public Buildings—One clerk.

Committee on State Prisons—One clerk.

Committee on Irrigation—One clerk.

Committee on City, City and County, and Town Governments—One clerk.

Committee on Counties, County Governments, and Township Organization—One clerk.

Mr. Spencer of Napa made the point of order that the resolution should be referred to the Committee on Attachés, Contingent Expenses, and Mileage.

Mr. Kellogg moved to lay the resolution upon the table.

By permission of the Senate, Mr. Days was allowed to explain.

Upon the motion to lay on the table, the ayes and noes were demanded by Senators Vrooman, Baldwin, and Days.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Boone, Cox, Creighton, Del Valle, Dougherty, Drum, Foster, Kelly, Kellogg, Lowe, Palmieri, Perry, Routier, and Wallis—14.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cross, Days, DeLong, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, McClure, Parker, Parkinson, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Whitney—24.

Mr. Days moved the adoption of the resolution.

Mr. Del Valle moved to amend, by referring to Committee on Attachés, Contingent Expenses, and Mileage.

Carried.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 11—Relative to the erection of a signal service station on Mount Tamalpais in California.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Enrolled Bills.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight of chapter six, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Referred to Committee on City, City and County, and Town Governments.

Also, Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Referred to Committee on Elections.

Also, Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county governments," to be known as section one hundred and eighty-five.

Referred to Committee on Counties, County Governments, and Township Organization.

Also, Assembly Concurrent Resolution No. 4—Relative to tariff on raisins.

Referred to Committee on Federal Relations.

Also, Assembly Concurrent Resolution No. 6—Relative to viticultural industries.

Referred to Committee on Viniculture and Viticulture.

Also, Assembly Concurrent Resolution No. 7—Relative to Post Office building in San Francisco.

Referred to Committee on Federal Relations.

Also, Assembly Concurrent Resolution No. 13—Relative to homesteads on public lands.

Referred to Committee on Public, Swamp, and Overflowed Lands.

Also, Assembly Concurrent Resolution No. 15—Relative to the preservation of the Lake Bigler forests on the California shore thereof, and also Lake Bigler.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 155, introduced by Senator Lowe—An Act to establish a boys' reform school for the correction and reformation of juvenile offenders—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

SAXE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Saxe: Senate Bill No. 212—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, marriages, and deaths.

Referred to Committee on Judiciary.

By Mr. Creighton: Senate Bill No. 213—An Act to add a new section to the Political Code, to be numbered four hundred and seventy-five, relative to deposits with banks, bankers, trust companies, and savings and loan societies.

Referred to Committee on Corporations.

By Mr. Reddy: Senate Bill No. 214—Proposed amendment to article six of the Constitution of the State of California, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Referred to Committee on Judiciary.

By Mr. Routier, by request: Senate Bill No. 215—An Act to provide for the payment of the claim of Colonel W. B. Burtis for special services performed by him as Second Lieutenant, Company F, Second Infantry Regiment, Second Brigade, National Guard, California, pursuant to Special Order Number Twenty-six, series 1880, issued from General Headquarters.

Referred to Committee on Claims.

By Mr. Filcher: Senate Bill No. 216—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12,

1872, by adding a new section thereto, in relation to the powers and duties of Boards of Supervisors, and highway officers and highways, to be numbered two thousand six hundred and fifty-six, and to read as follows.

Referred to Committee on Roads and Highways.

Also, Senate Bill No. 217—An Act authorizing the Boards of Supervisors of their respective counties to prevent or limit the trespass of animals, and to provide a penalty therefor.

Referred to Committee on Counties, County Governments, and Township Organization.

By Mr. McClure: Senate Bill No. 218—An Act to authorize the construction, furnishing, and leasing of a hotel in Yosemite Valley, and to appropriate money therefor.

Referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove.

By Mr. Vrooman: Senate Bill No. 219—An Act to amend section one hundred and eighty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and to provide for the temporary filling of any vacancy as to any office or officer named therein or created thereby.

Referred to Committee on Counties, County Governments, and Township Organization.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 18—Relative to the direct war tax assessed to and levied upon the several States, under the Act of Congress approved August 5, 1861—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Mr. Baldwin moved the adoption of the resolution.
Adopted.

Also, Senate Concurrent Resolution No. 1—Relative to the election of United States Senators—have had the same under consideration, and report back, without recommendation, and with leave of author to withdraw the same.

Mr. Days asked leave to withdraw Senate Concurrent Resolution No. 1.

So ordered.

Also, Senate Concurrent Resolution No. 15—Relative to the making of the Department of Agriculture a Cabinet office—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

BALDWIN, Chairman.

Mr. Baldwin moved the adoption of the resolution.
Adopted.

Mr. Filcher moved to take up (out of order) Assembly Bill No. 108, and have same read first time.

So ordered.

Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Read first time, and placed on file for second reading.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Perry, by request: Senate Bill No. 220—An Act to reimburse John Marty, Albert Grubbs, and Theodore Dosh, for services rendered the State of California on the State Capitol grounds.

Referred to Committee on Claims.

Mr. Spencer of Stanislaus asked leave to withdraw Senate Bill No. 105.

So ordered.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Johnson of Sonoma: Senate Concurrent Resolution No. 17—Relative to a bill now pending in Congress, known as the Reagan Act:

WHEREAS, The House of Representatives of the Congress of the United States has passed an Act to subject all interstate transportation companies to governmental control to fix their rates of fare and freight, and to prevent any unjust discrimination by such companies, the said Act being popularly known as the "Reagan Act;" therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That our Senators in Congress are instructed to use every effort to procure the passage of said Act by the Senate of the United States.

Resolved. That the Governor be requested to transmit forthwith to each of our Senators in Congress a copy of these resolutions.

Mr. Johnson of Sonoma moved that the resolution be referred to Committee on Federal Relations, with instructions to report back to-morrow morning.

So ordered.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, beg leave to state that the following Senators and clerks of the Senate Committee on Mines and Mining are entitled to mileage, as follows:

| NAMES. | Miles. | Amount. | NAMES. | Miles. | Amount. |
|---------------------|--------|---------|----------------------------|--------|---------|
| H. Mahler..... | 168 | \$16 80 | C. W. Cross..... | 168 | \$16 80 |
| A. B. Beauvais..... | 168 | 16 80 | J. A. Filcher..... | 168 | 16 80 |
| B. G. Hurlburt..... | 168 | 16 80 | W. W. Kellogg..... | 168 | 16 80 |
| N. W. Wallis..... | 168 | 16 80 | Miss M. Kelley, clerk..... | 168 | 16 80 |

And recommend that the Controller be authorized to draw his warrant on the Contingent Fund of the Senate, as above.

LYNCH, Chairman.

Mr. Lynch moved the adoption of the report.

Adopted.

RESOLUTIONS—(OUT OF ORDER).

Mr. DeLong offered a resolution from the Produce Exchange of San Francisco; also, a resolution from the State Horticultural Society, with the request that they be submitted to the Committee on Agriculture.

So ordered.

At three o'clock and thirty minutes P. M. Mr. McClure moved to adjourn.

Lost.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 11—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Centennial Exposition at New Orleans—have had the same under consideration, and the committee report back that Senator Whitney's substitute do pass, instead of original resolutions.

BALDWIN, Chairman.

Substitute for Assembly Concurrent Resolution No. 11, reported by the Senate Committee on Federal Relations, February 3, 1885:

Concurrent Resolution—Relating to sending the mineral collection of the State Mining Bureau to the World's Fair and Cotton Centennial Exposition at New Orleans:

Resolved by the Assembly, the Senate concurring, That the State Mineralogist be and he is hereby authorized and directed to carefully pack and ship to New Orleans so much of the cabinet of minerals now in the State Mineral Bureau, at San Francisco, as will secure a proper representation of the mineral wealth and resources of California in the World's Industrial and Cotton Centennial Exposition, now open in New Orleans, said exhibit to be under the charge and control of the State Mineralogist, and at the close of said Exposition, or sooner if by him deemed expedient or proper, to be returned to its present quarters in the State Mining Bureau. The expenses attending this exhibit shall be paid out of any appropriation made by this Legislature for the better display of the resources of the State of California at such Exposition.

Mr. Baldwin moved the adoption of the substitute to Assembly Concurrent Resolution No. 11.

Adopted.

ADJOURNMENT.

At three o'clock and thirty-six minutes P. M., on motion of Mr. Cross, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

Wednesday, February 4, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Baldwin moved that the title of Senate Joint Resolution No. 1 be changed to Senate Concurrent Resolution No. 18.
So ordered.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 12—Entitled "An Act to amend section three hundred and thirty-two of the Civil Code," to provide for the levying of assessments by corporations.

Also, Senate Bill No. 139—Entitled "An Act to add a new section to the Civil Code," to be known as section five hundred and forty-one, in relation to telegraph lines.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Senate Bill No. 26—Entitled "An Act to regulate life and accident insurance"—and do now report the same back with a substitute therefor, and recommend the passage of the substitute.

Also, Senate Bill No. 82—Entitled "An Act concerning corporations engaged in banking, and doing regular commercial banking business"—have had the same under consideration, and do now report the same back to the Senate, with amendments thereto, and recommend that it do not pass.

A minority report, dissenting from the report of the majority, is herewith presented.

Also, Senate Bill No. 76—Entitled "An Act concerning private banks, bankers, and private banking firms"—have had the same under consideration, and report the same back, with recommendation that it do not pass.

Also, Senate Bill No. 86—Entitled "An Act to amend an Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—have had the same under consideration, and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 77—Entitled "An Act to amend an Act relating to mutual, beneficial, and relief associations"—have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Senate Bill No. 11—Entitled "An Act to add a new section to the Political Code," to be known as section six hundred and thirty-five, relating to the advertisement of the capital of insurance corporations—have had the same under consideration, and report it back, with the recommendation that it do not pass, for the reason that it is the same as Assembly Bill No. 6, which has passed the Assembly.

Also, Assembly Bill No. 6—Entitled "An Act to add a new section to the Political Code," to be known as section six hundred and thirty-five, relative to the assessment of the capital of insurance corporations—have had the same under consideration, and report the same back to the Senate, with the recommendation that it do not pass.

Also, Senate Bill No. 190—Entitled "An Act to amend an Act entitled an Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporations—have had the same under consideration, and do now report the same back, with amendments, and recommend that it do pass, as amended.

KELLOGG, Chairman.

MINORITY REPORT ON SENATE BILL NUMBER EIGHTY-TWO.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Corporations, to whom was referred Senate Bill No. 82—An Act entitled "An Act concerning corporations engaged in banking and doing regular commercial banking business"—dissent from the report of the majority of said committee, and recommend that the bill, as amended, do pass.

W. W. KELLOGG.

MARTIN KELLY.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 71—An Act regulating the height of division fences and partition walls in cities and towns.

Also, Senate Bill No. 176—An Act concerning municipal corporations.

Also, Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, providing for the disposition of such premiums.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended.

* JOHNSON, Chairman.

Mr. Whitney moved that Senate Bill No. 20 be re-referred to the Judiciary Committee.

Mr. Johnson of Sonoma moved to amend, by instructing the Judiciary Committee to report the same back to-morrow morning.

Mr. Whitney accepted the amendment.

Mr. Cross moved, as an amendment to the amendment, that, by the reference, Senate Bill No. 20 should not lose its place on the file.

Mr. Whitney accepted the amendment.

The question being on the motion of Mr. Whitney, it was so ordered.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 165—Entitled "An Act to empower the State Board of Education to preserve and protect the rights of the State of California in and to the text-books to be adopted by said Board"—have had the same under consideration, and respectfully report the same back, with substitute, and recommend the passage of substitute.

JOHNSON, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 95—An Act amendatory of and supplementary to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee.

COX, Chairman.

So ordered.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 17—Relative to a bill now pending in Congress, known as the "Reagan Act"—have had the same under consideration, and now report the same back, with recommendation that it do pass.

BALDWIN, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Also, Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

FRANK D. RYAN, Clerk.

By AARON SMITH, Assistant Clerk.

Assembly Bill No. 7—Referred to Committee on Corporations.

Assembly Bill No. 11—Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Drum: Senate Bill No. 221—An Act to provide a remedy in cases where damages have been sustained by the illegal and irregular proceedings of municipal officers, and for the payment of the same.

Referred to Committee on Claims.

By Mr. Wright: Senate Bill No. 222—An Act to amend section eight hundred and sixty-two of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Days: Senate Bill No. 223—An Act to amend section three hundred and twenty-three of the Civil Code, relating to corporate stock.

Referred to Committee on Corporations.

Also, Senate Bill No. 224—An Act to amend section three hundred and twenty-four of the Civil Code, concerning corporations and corporate stock.

Referred to Committee on Corporations.

Also, Senate Bill No. 225—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers.

Referred to Committee on Corporations.

Also, Senate Bill No. 226—An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations.

Referred to Committee on Corporations.

Also, Senate Bill No. 227—An Act to amend section one thousand and eighty-six of the Code of Civil Procedure, relating to the writ of mandate.

Referred to Committee on Judiciary.

Also, Senate Bill No. 228—An Act to amend section one thousand and ninety-one of the Code of Civil Procedure, relating to the writ of mandate.

Referred to Committee on Judiciary.

By Mr. Filcher: Senate Bill No. 229—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, by adding a new section thereto, relative to service in civil or criminal proceedings, and to be numbered section one thousand and eighteen.

Referred to Committee on Judiciary.

By Mr. Palmieri: Senate Bill No. 230—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by repealing section two thousand one hundred and ten of said Act, relative to the office of Assistant Adjutant-General.

Referred to Committee on Military Affairs.

SPECIAL FILE.

Consideration of Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to textbooks.

Mr. Days moved to re-refer Senate Bill No. 31 to Committee on Finance.

Mr. Vrooman moved to amend, by re-referring to the Committee on Education, in conjunction with the Committee on Public Printing,

Mr. Days withdrew his motion.

Mr. Chandler moved, as an amendment, that this bill retain its place on the Special File.

Mr. Vrooman accepted the amendment.

Ayes and noes demanded on the motion, by Senators Perry, Routier, and Knight.

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, McClure, Parker, Parkinson, Saxe, Vrooman, Whitney, and Wright—19.

NOES—Messrs. Creighton, DeLong, Dougherty, Drum, Johnson of Sonoma, Kelly, Knight, Langford, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—19.

The vote being a tie, the President exercised his constitutional right and voted in the affirmative, whereupon the motion was declared adopted.

Mr. Perry moved that the joint committee be instructed to report Senate Bill No. 31 back to the Senate to-morrow morning at eleven o'clock.

Pending debate, the hour of recess arrived, whereupon the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

The question being on the motion of Mr. Perry, to report back Senate Bill No. 31 to-morrow morning at eleven o'clock, the motion was carried.

RESOLUTION—(OUT OF ORDER).

Mr. Perry introduced the following resolution:

Resolved. That the State Board of Education furnish forthwith a statement, showing the amount and the purpose for which such amounts will be used, and when required, necessary to carry the system of text-books into effect, and said statement shall be printed and laid upon the desks of the members.

Adopted.

By Mr. Dougherty:

WHEREAS, Charges having been made that certain officials and contractors employed by the State Board of Harbor Commissioners and engaged in the construction of the seawall at San Francisco, are violating the eight-hour law of the State, intimidating their employes, and compelling them to patronize boarding houses in which said contractors are interested, and otherwise setting the laws of the State at defiance; also that said contractors are not executing their contracts as required by their specifications; therefore, be it

Resolved, That the Committee on Capital and Labor be and they are hereby instructed to investigate these charges, and such others as may be preferred by workmen and property owners against the said seawall contractors, and report to this Senate: and for this purpose said committee is empowered to send for persons and papers.

Mr. Days moved the adoption of the resolution.
Adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane."

Also, Senate Bill No. 111—An Act to provide for the construction and maintenance of a public morgue in the City and County of San Francisco.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Senate Bill No. 104—An Act to encourage and provide for a general vaccination in the State of California.

Also, Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same.

Also, Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death, and granting burial permits for a deceased person.

Also, Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended by the committee.

Also, Senate Bill No. 54—An Act to authorize the establishment of a quarantine station for the harbor of San Francisco, and to appropriate money therefor.

Also, Senate Bill No. 128—An Act to authorize and provide for the erection of buildings to be used as health offices and morgues in the various counties, cities, and counties, of the State of California.

Also, Senate Bill No. 146—An Act to further protect the rights of inmates of insane asylums.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

KNIGHT, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate resolution has been correctly enrolled:

Senate Concurrent Resolution No. 11—Relative to a signal service station on Tamalpais Mountain.

And that the same has been placed in the hands of the Governor at twelve o'clock M.

COX, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872—have had the same under consideration, and respectfully report the same back, and a majority of committee present recommend that it do pass.

MAHLER, Chairman.

THIRD READING OF BILLS.

Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

Mr. McClure moved that the consideration of this bill be postponed until Wednesday, February 11, 1885, and be placed at the head of third reading file.

So ordered.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. McClure: Senate Bill No. 231—An Act to establish the "California Home for the care and training of feeble-minded children."

Referred to Committee on Hospitals.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

On motion of Mr. Lynch, this bill was temporarily passed on file.

Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

Title read and approved.

Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium, or any preparation thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—38.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as section sixty-three.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 14—An Act to amend sections one thousand three hundred and fifty-seven and one thousand three hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add four new sections thereto, to be

known as sections one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, and one thousand three hundred and sixty-nine—all relating to political primary elections.

On motion of Mr. Days, section five, line five, was amended as follows: by striking out the words "and after those present" after the word "present."

Also, on line eleven, section five, by striking out the word "parties," and insert in lieu thereof, the word "persons."

Mr. Vrooman moved to strike out the enacting clause.

Ayes and noes demanded on the motion, by Senators Days, Whitney, and Johnson of San Bernardino.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Cross, Dougherty, Drum, Foster, Johnson of Sonoma, Kellogg, Knight, Lowe, McClure, Perry, Spencer of Napa, Steele, Taylor, Wallis, and Wright—18.

NOES—Messrs. Boone, Days, DeLong, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Langford, Lynch, Mahler, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Vrooman, and Whitney—20.

Senate Bill No. 14 read second time.

Upon the question, "Shall this bill be engrossed, and placed on file for third reading?" the ayes and noes were demanded by Senators Vrooman, Kellogg, and Johnson of San Bernardino.

Roll called, and the bill refused engrossment and third reading by the following vote:

AYES—Messrs. Boone, Chandler, Days, DeLong, Filcher, Johnson of San Bernardino, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Routier, Saxe, and Whitney—15.

NOES—Messrs. Baldwin, Beauvais, Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, McClure, Parker, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—24.

Mr. Days asked leave to withdraw Senate Bill No. 9.

So ordered.

Senate Bill No. 34—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial.

Upon the question, "Shall this bill be read the second time?" the ayes and noes were demanded by Senators Vrooman, Kellogg, and Routier.

Honorable Benjamin Knight, President pro tem., in the chair.

Roll called, and the bill ordered read the second time by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Taylor—27.

NOES—Messrs. Beauvais, Cross, Kellogg, Lowe, McClure, Parker, Saxe, Vrooman, Wallis, Whitney, and Wright—11.

Mr. Perry offered the following amendment to section one: Amend section one thousand and thirty-three, on line seven of the bill, by striking out the word "application" and inserting in lieu thereof, the word "affidavit."

Mr. Kellogg offered the following amendment to the amendment:

Amend section one thousand and thirty-three, by inserting the word "joint" after the word "the" and before the word "application," on line seven, page one, printed bill, and also by inserting the words "and defendant" after the words "District Attorney," on line seven, page one, printed bill.

Lost.

Mr. Perry withdrew his amendment.

President Daggett in the chair.

Mr. Vrooman offered the following amendment: Amend section one by inserting after the word "pending," on line nine, page two, the words "provided that nothing in this Act shall affect any case now pending in any of the Courts of this State."

Mr. Hurlburt moved that this bill be re-referred to the Judiciary Committee, but that it should not lose its place on the file.

Motion lost on a division—ayes, 14; noes, 18.

The question recurring on the amendment offered by Mr. Vrooman, the ayes and noes were demanded by Senators Vrooman, Reddy, and Lowe.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Days, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, McClure, Palmieri, Reddy, Vrooman, Wallis, and Wright—15.

NOES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Del Valle, Dougherty, Filcher, Kelly, Knight, Langford, Lynch, Mahler, Parker, Parkinson, Perry, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Whitney—23.

Mr. DeLong was excused from voting.

Mr. Johnson of Sonoma offered the following amendment: On line five, in section one thousand and thirty-five, strike out the words, "and of the District Attorney," and insert the words, "or of the District Attorney in their respective applications."

Adopted.

Senate Bill No. 34—Read second time, ordered engrossed, and placed on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Langford: Senate Bill No. 232—An Act to provide for including within any reclamation district in this State certain lands requiring protection from overflow, and which may be protected by the same system of works as shall be required for the protection of the lands originally embraced within said district.

Referred to Committee on Public, Swamp, and Overflowed Lands.

By Mr. Saxe: Senate Bill No. 233—An Act to abolish the office of State Board of Railroad Commissioners.

Referred to Committee on Judiciary.

Also, Senate Bill No. 234—An Act for the suppression of vagrancy, to be known as the "Tramp Act."

Referred to Committee on Public Morals.

By Mr. Dougherty: Senate Bill No. 235—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known and numbered as section two hundred and seventy-three, relative to the control, care, and custody of minor children.

Referred to Judiciary Committee.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Spencer of Napa, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 5, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Vaile, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PETITIONS.

Mr. Days presented a petition from residents of the City and County of San Francisco, praying for the adoption and passage of Senate Bill No. 10.

Referred to Committee on Judiciary.

Mr. McClure presented two petitions from residents of the City and County of San Francisco, relating to the same subject-matter, regarding Senate Bill No. 10.

Referred to Committee on Judiciary.

Mr. Cross presented a petition from the residents of the City and County of San Francisco, relating to instructing the Representatives from California, in Congress, to use their influence in securing an amendment to the Constitution of the United States, that may secure to women, "in all the States of the Federal Union unrestricted use of the elective franchise;" also, to remove "all legal and political disabilities now imposed upon the women of the District of Columbia and of the Territories of the United States."

Referred to Committee on Public Morals.

Also, a petition from residents of the City and County of San Francisco, respecting "an amendment to article two of the Constitution of the State of California, by eliminating the word 'male' therefrom, wherever it occurs therein, and refer the same to the electors thereof."

Referred to Committee on Public Morals.

Mr. Saxe presented a petition from residents of the City and County of San Francisco, praying for an amendment to article two of the Constitution of the State of California, "by eliminating the word 'male' therefrom, wherever it occurs therein," etc.

Referred to Committee on Public Morals.

Also, a petition from residents of the City and County of San Francisco, relating to instructing the representatives from the State of California, in Congress, to use their influence in securing an amendment to the Constitution of the United States, that may secure to women, "in all the States of the Federal Union, unrestricted use of the elective franchise;" also, to remove "all legal and political disabilities now imposed upon the women of the District of Columbia, and of the Territories of the United States."

Referred to Committee on Public Morals.

Mr. Parker presented a petition from the residents of the City and County of San Francisco, relative to the same subject-matter.

Referred to Committee on Public Morals.

Also, a petition from the residents of the City and County of San Francisco, praying for an amendment to article two of the Constitution of the State of California, by "eliminating the word 'male' therefrom, wherever it occurs therein," etc.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

JOINT COMMITTEE ON EDUCATION AND PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committees on Education and Public Printing, to whom was referred Senate Bill No. 31—Entitled "An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relative to text-books"—have had the same under consideration, and respectfully report the same back, with substitute, and recommend the passage of substitute.

JOHNSON, Chairman Committee on Education

SPENCER, Chairman Committee on Public Printing.

Mr. Johnson of Sonoma presented the following rough estimate of cost of the first issue of text-books, made by Superintendent Welcker and Professor Allen:

| | |
|----------------------------------|---------|
| Number of primary children | 130,000 |
| Number of grammar children | 50,000 |

Grammar children divided into two classes:

| | |
|---------------------------------------|--------|
| 1. More advanced grammar pupils | 10,000 |
| 2. Less advanced grammar pupils | 40,000 |

The ten thousand pupils would (each) use:

| | |
|--|----------------------|
| Geographies, at \$1 50 or \$3 | \$15,000 or \$30,000 |
| Advanced Arithmetics, at 60 cents | 6,000 |
| Grammars, at 60 cents | 6,000 |
| Spellers, at 15 cents | 1,500 |
| United States Histories, at 80 cents | 8,000 |
| Other books, at 50 cents | 5,000 |

Amount

\$41,500 or \$56,500

Each of the forty thousand pupils would use:

| | |
|-----------------------------------|----------|
| Readers, at 75 cents | \$30,000 |
| Spellers, at 15 cents | 6,000 |
| Arithmetics, at 60 cents | 24,000 |
| Language books, at 60 cents | 24,000 |
| Other books, at 50 cents | 20,000 |

Amount

\$104,000

| | |
|----------------------|----------------------|
| Grammar pupils | \$41,500 or \$56,500 |
| Grammar pupils | 104,000 104,000 |

\$145,500 or \$160,500

Primary children, divided into two classes, seventy thousand and sixty thousand.

Each of the seventy thousand would use:

| | |
|---|----------|
| Primary Readers, at 30 cents | \$21,000 |
| Two thousand Primary Arithmetics, at 20 cents | 4,000 |
| Other books | 3,000 |
| Amount | \$28,000 |

Each of the sixty thousand would use:

| | |
|--|----------|
| Second Readers, at 45 cents | \$27,000 |
| Arithmetics, at 20 cents | 12,000 |
| Elementary Language Lessons, at 30 cents | 18,000 |
| Spellers, at 15 cents | 9,000 |
| Primary Geographies, at 25 cents | 15,000 |
| Other books, at 15 cents | 9,000 |
| Amount | \$90,000 |

| | | |
|---------------------------------------|------------------------|-----------|
| Primary pupils, \$28,000 and \$90,000 | \$118,000 | \$118,000 |
| Grammar pupils | 145,500 or 160,500 | |
| | \$263,500 | \$278,500 |
| Total amount | \$263,500 or \$278,500 | |

COLONEL AYERS' PLANT.

| | |
|--|-----------|
| Two power presses, 35x51, or larger | \$13,000 |
| Boiler (48 h. p.), engine (28 h. p.), together with shafting, pulleys, running gear, and heating pipes | 5,000 |
| Bindery | 10,000 |
| Electrotyping apparatus | 5,000 |
| Type | 2,500 |
| Engravings for books | 3,000 |
| Alterations in buildings | 2,000 |
| Elevator from press room to binding room | 1,000 |
| Plumbing, extra work, etc. | 2,000 |
| | \$43,500 |
| Payroll for binding, one year | \$15,000 |
| Paper, five thousand reams, s. s. and calendered 60-pound book | 36,000 |
| Stock for binding | 7,500 |
| Payroll, electrotype department, one year | 2,500 |
| Payroll, compositors on books | 2,500 |
| Payroll, press rooms | 3,500 |
| Proportionate cost of fuel | 1,000 |
| Inks, oils, kerosene, lye, etc. | 1,000 |
| Cases for shipment of books, etc. | 2,500 |
| | \$71,500 |
| Total | \$115,000 |

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 56—An Act to promote agricultural industry—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Also, Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provision of the Political Code relating to procedure for the levy and collection of assessments in reclamation districts for reclamation purposes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

COX, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 8—Relative to the tariff on raisins—have had the same under consideration, and now report the same back, without recommendation, as a like resolution has been introduced in the Assembly.

Also, Assembly Concurrent Resolution No. 4—Relative to a tariff on raisins—and report the same back, with the recommendation that it do pass.

Also, Assembly Concurrent Resolution No. 7—Relative to a Federal Post Office building in San Francisco—and report the same back, with the recommendation that it do pass.

BALDWIN, Chairman.

ON CAPITAL AND LABOR.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Capital and Labor, to whom was referred Senate Bill No. 4—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California—have had the same under consideration, and respectfully report the same back, and recommend the passage of a substitute, and that the substitute be printed.

DOUGHERTY, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 50—Entitled "An Act to declare the title to water in rivers, streams, lakes, and ponds, and the rights to its use"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TAYLOR, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 34—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February , 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 65—Entitled "An Act to amend section two hundred and eighty-seven, chapter ... title five, of the Code of Civil Procedure"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 8—Entitled "An Act to amend sections one thousand nine hundred and sixty-nine and one thousand nine hundred and seventy of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relating to obligations of the employer"—and have adopted amendments thereto, and do now report the same back to the Senate, and recommend that it do not pass.

CROSS, Chairman.

A MINORITY REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: The undersigned, a minority of the Judiciary Committee, to whom was referred Senate Bill No. 8—Entitled "An Act to amend sections one thousand nine hundred and sixty-nine and one thousand nine hundred and seventy of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relating to obligations of the employer"—have had the same under consideration, and beg leave to make the following report, to wit: The Judiciary Committee having, by a majority vote in committee, amended said bill, the undersigned, a minority of said committee, now recommend its passage, as so amended.

JOHN L. BOONE.
GEO. E. WHITNEY.
JOHN M. DAYS.

REQUEST FROM JUDICIARY COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 20—and report progress, and respectfully request that further time be granted them to report upon said bill.

CROSS, Chairman.

So ordered.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 170—Entitled "An Act to establish a branch State Normal School"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JOHNSON, Chairman.

MINORITY REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Education, having under consideration Senate Bill No. 170—"An Act to establish a branch State Normal School"—dissent from the report of the majority, and recommend that the bill in its present form do not pass.

JAS. R. LOWE.

G. H. PERRY.

JEREMIAH LYNCH.

Mr. Lowe moved that Senate Bill No. 170 be re-referred to Committee on Education.

Hon. Benjamin Knight, President pro tem., in the chair.

Mr. Days moved, as an amendment, that the committee be instructed to report back to the Senate to-morrow morning.

Lost.

The question recurring on the motion of Mr. Lowe, the ayes and noes were demanded by Senators Kellogg, Parker, and Foster.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Cross, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Saxe, Taylor, Vrooman, Wallis, Whitney, and Wright—23.

NOES—Messrs. Baldwin, Chandler, Creighton, Del Valle, Drum, Filcher, Foster, Kellogg, Lynch, Parker, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Steele—15.

So ordered.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 114—"An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor"—with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds, and to pay certain claims out of the General Fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Senate Bill No. 194—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of James W. Marshall, the discoverer of gold: the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall, during his lifetime.

Also, Senate Bill No. 197—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Have had the same under consideration, and respectfully report the same back and recommend that they do not pass.

Also, Senate Bill No. 88—An Act to amend section three thousand eight hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Also, Senate Bill No. 204—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand eight hundred and twenty-one, in relation to the collection of personal property tax—have had the same under consideration, and a majority of your committee respectfully report the same back, and recommend that it do not pass.

KNIGHT, Chairman.

A MINORITY REPORT OF COMMITTEE ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 204—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand eight hundred and twenty-one, in relation to the collection of personal property tax—have had the same under consideration, and a minority of your committee respectfully report the same back, and recommend that it do pass.

W. W. KELLOGG.

INTRODUCTION OF A BILL (OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Cross: Senate Bill No. 236—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the qualification of voters.

Referred to Committee on Public Morals.

RECESS.

The hour of recess having arrived, the President pro tem. declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drun, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Steele, by request: Senate Bill No. 237—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Referred to Committee on City, City and County, and Town Governments.

Also, by request, Senate Bill No. 238—An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools.

Referred to Committee on Education.

By Mr. Parkinson: Senate Bill No. 239—An Act to abolish all Commissioners, or Boards of Commissioners, as heretofore created or appointed to construct or complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or the governing body of any county, or city and county, constructing or completing the construction of any build-

ing authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Days: Senate Bill No. 240—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Referred to Committee on Finance.

Also, Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Referred to Committee on Judiciary.

By Mr. Spencer of Napa: Senate Bill No. 242—An Act to propose an amendment to section one, of article thirteen, of the Constitution of the State of California, relating to revenue and taxation.

Referred to Committee on Judiciary.

SPECIAL FILE—SECOND READING OF BILLS.

Consideration of Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence and to appropriate money therefor.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of the Law, San Francisco.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

The Joint Committee on Education and Public Printing offered the following, as a substitute for Senate Bill No. 31:

AN ACT

Appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books, and for the compiling, printing, electrotyping, illustrating, and distribution of said books.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Board of Education is hereby directed to carry out the provisions of section seven, of article nine, of the Constitution, relative to text-books, and for that purpose the Controller is hereby directed to draw warrants, from time to time, as said Board of Education shall direct, in amounts not to exceed, in the aggregate, the sum of two hundred thousand dollars, payable out of the moneys provided for the fiscal year commencing July 1, 1885, and the Treasurer is authorized to pay the same: *provided*, that the said appropriation of two hundred thousand dollars shall be used by the State Board of Education for the purpose of enlarging the plant at the State Printing Office, for the establishment of a bindery, the purchase of paper stock, and other necessary material, for the payment of labor in said printing office necessary to carry out the provisions of this Act, and for the compiling, electrotyping, illustrating, and copy-righting the necessary text-books.

SEC. 2. The printing of such text-books as are provided for in said section seven, of article nine, of the Constitution, shall be done by the Superintendent of State Printing at the State Printing Office, under the direction of the State Board of Education.

SEC. 3. County and local Boards of Education shall be and they are hereby required to adopt for use in the schools under their respective jurisdictions, at the expiration of existing contracts for similar books, the books printed and furnished under this Act.

SEC. 4. The text-books provided for in this Act, when printed and bound, shall be stored at the State Printing Office, under the care and supervision of the Superintendent of State Print-

ing, who shall deliver the same direct from said State Printing Office, at cost price, to the various counties, or cities, or cities and counties of this State, under such rules and regulations as the State Board of Education may provide.

SEC. 5. This Act shall take effect from and after its passage.

Mr. Filcher moved that Senate Bill No. 31, and substitute, be temporarily passed on file.

So ordered.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read second time, and placed on file for third reading.

FIRST READING OF BILLS.

Senate Bill No. 59—An Act amending section six, of article four, of the Constitution of the State of California, in relation to election of members of the Legislature.

Read first time, and placed on file for second reading.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read first time, and placed on file for second reading.

Hon. Benjamin Knight, President pro tem., in the chair.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 27—An Act to secure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Mr. Cross moved that Senate Bill No. 27 be recommitted to Senator Lynch, a committee of one, with special instructions to amend the bill, as follows: Amend section two by striking out all between the word "Governor," on line three, and the word "the" before "term," on line nine, and to add thereto, after the word "Governor," the following: "and shall be graduates of some reputable dental college," so that it shall read:

SEC. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor, and shall be graduates of some reputable dental college.

Then continue from "the term," on line nine. Also amend section one, by adding after the word "engaged," on line two, the words "or heretofore engaged, or who shall have been engaged," so it shall read:

SECTION 1. It shall be unlawful for any person who is not at the time of the passage of this Act engaged, or heretofore engaged, or who shall have been engaged in the practice of dentistry in this State, to commence such practice, unless he or she shall have obtained a certificate, as hereinbefore provided.

So ordered.

Assembly Bill No. 82—An Act to amend section six hundred and

thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—35.

NOES—None.

On motion of Mr. Vrooman, the title was amended, to read as follows: Strike out the title, and insert in lieu thereof, the following:

An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

Title read and approved.

Senate Bill No. 34—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial.

Mr. Kellogg offered the following amendment: I move that the bill be referred to Senator Perry, the author, with instructions to amend, by inserting, at the end of section one, the following: Insert after the word "pending," on line nine, page two, the words "provided that nothing in this Act shall affect any case pending in any of the Courts of this State."

Ayes and noes demanded on the motion, by Senators Kellogg, Parker, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Days, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Routier, Saxe, Vrooman, and Wright—14.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Mahler, Parkinson, Perry, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, and Whitney—23.

Messrs. Reddy and DeLong were excused from voting.

Mr. Cross moved that the bill be referred to Senator Perry, the author, with instructions to amend as follows:

SUBSTITUTE FOR SENATE BILL NUMBER THIRTY FOUR.

AN ACT

To amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand and forty-six of the Penal Code is hereby amended so as to read as follows:

"Trial juries for criminal actions are formed in the same manner as trial juries in civil actions; *provided*, that when the entire number of trial jurors in the county has been exhausted without obtaining a complete jury to try the cause then pending, then the Superior Judge of the county in which the cause is pending may issue a special venire to a Sheriff of any other county to summon jurors to act in the trial of said cause, which writ shall be served by the Sheriff of the county to which the said writ issues.

Hon. R. F. Del Valle in the chair.

CALL OF THE SENATE.

Mr. Perry moved a call of the Senate.

Lost.

Ayes and noes demanded on the motion, by Senators Kellogg, Whitney, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Days, Johnson of San Bernardino, Kellogg, Lowe, McClure, Palmieri, Parker, Saxe, Vrooman, Wallis, Whitney, and Wright—15.

NOES—Messrs. Chandler, Creighton, Del Valle, Dougherty, Drumm, Filcher, Harlbert, Johnson of Sonoma, Kelly, Knight, Lynch, Parkinson, Perry, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Taylor—18.

Senate Bill No. 34 read the third time, and passage refused by the following vote:

AYES—Messrs. Boone, Chandler, Creighton, Del Valle, Dougherty, Drumm, Filcher, Harlbert, Johnson of Sonoma, Kelly, Lynch, Mahler, Parkinson, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Taylor—18.

NOES—Messrs. Beauvais, Days, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Perry, Saxe, Vrooman, Wallis, Whitney, and Wright—15.

Mr. Perry gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 34 was refused passage.

LEAVE OF ABSENCE.

The Committee on Education was granted leave of absence from to-morrow afternoon until Tuesday, February 10, 1885.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 27, with special instructions to amend, respectfully reports the same back, with amendments, as instructed.

LYNCH.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Vrooman: Senate Bill No. 243—An Act to amend section two of an Act entitled "An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers," approved March 29, 1878.

Referred to Committee on Public, Swamp, and Overflowed Lands.

By Mr. Whitney: Senate Bill No. 244—An Act to change the official name of the Deaf, Dumb, and Blind Asylum.

Referred to Committee on Education.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, to whom was referred Senate Bill No. 198—An Act to create a State Board of Forestry, and to provide for the expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

CREIGHTON, Chairman.

President Daggett in the chair.

RESOLUTION.

By Mr. Del Valle:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby directed and instructed to furnish the California State Library with five copies of all bills, resolutions, files, and all other documents whatsoever printed under the direction and for the use of the members of this Senate.

Adopted.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Cross, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Friday, February 6, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reidy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read, and on motion of Mr. Knight, amended, as follows: On page six, in report of Finance Committee, the clerk of the committee reported back Senate Bill No. 194 and Senate Bill No. 197, "that they do pass," should read "that they do not pass."

Journal approved.

QUESTION OF PRIVILEGE.

Mr. McClure arose to a question of privilege. He read from the San Francisco Bulletin of February 5, 1885, an editorial, which he pronounced as incorrect. He stated that it did him a great injustice, as he introduced the bill as a charitable act to a most estimable lady, and that the bill in no way referred to the subject-matter in the editorial.

PETITION.

Mr. Steele presented a petition from residents of the northern portion of Santa Barbara County, asking for the formation of a new county.

Referred to Committee on Counties, County Governments, and Township Organization.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 13—Entitled "An Act to amend section four hundred and twenty-seven of the Civil Code, to pro-

vide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance"—have had the same under consideration, and do now report the same back to the Senate, and recommend that it do not pass, for the reason that it is the same as Assembly Bill No. 7, which has passed the Assembly.

Also, Senate Bill No. 87—Entitled "An Act concerning corporations doing a savings bank business"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 140—Entitled "An Act to repeal section five hundred and forty-eight and to amend section five hundred and forty-nine of the Civil Code, and to add a new section to said Civil Code, to be known as section five hundred and fifty-three, in relation to water and canal corporations"—have had the same under consideration, and do now report it back to the Senate, with amendments, and recommend that it do pass, as amended.

Also, Senate Bill No. 141—Entitled "An Act to add a new section to the Civil Code, to be known as section number four hundred and ninety-two, in relation to the construction, ownership, and management of railroads"—and do now report the same back to the Senate, with amended title, and recommend that it do pass, as amended.

Also, Senate Bill No. 142—Entitled "An Act to repeal section five hundred and twenty-one of the Civil Code, in relation to wagon road corporations"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 147—Entitled "An Act for the preservation of human life, and to prevent accident by and on street railway cars or vehicles running on and through the streets of cities and towns of the State of California, and to compel the use of guards and safety devices on such conveyances"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 149—Entitled "An Act adding a new section to an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, to be and become section six hundred and thirty-six, relating to the examination by the Insurance Commissioners of insurance companies not organized under the laws of this State"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 150—Entitled "An Act to amend section three hundred and thirty-two of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, relating to the levying of assessments of corporations"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 151—Entitled "An Act to amend section sixty-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, so as to prescribe the time for publishing the statements of insurance companies"—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 73—Entitled "An Act to amend section three hundred and four of the Civil Code of the State of California," in relation to corporations—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 74—Entitled "An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations"—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

Also, Senate Bill No. 148—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, to be and become section six hundred and thirty-seven, and relating to the reinsurance of risks by insurance companies, authorized to transact business in this State"—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

KELLOGG, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, have had under consideration Senate Bill No. 67—Entitled "An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets within municipalities"—and report the same back, with amendments, and recommend its passage, as amended in committee.

Also, Senate Bill No. 79—Entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities"—and report the same back, with amendments, and recommend its passage, as amended in committee.

Also, Senate Bill No. 177—Entitled "An Act to provide for the disposal of dead bodies by cremation"—and report the same back, with amendments, and recommend its passage, as amended in committee.

JOHNSON, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 220—An Act to reimburse John Marty, Albert Grubbs, and Theodore Dosh, for services rendered the State of California, on the State Capitol grounds—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DOUGHERTY, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 27, 113, and 124, have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

Hon. Benj. Knight, President pro tem., in the chair.

Mr. Johnson of Sonoma moved that the usual number of Senate Bill No. 79, as amended by the committee, be printed.

So ordered.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 45 (Senator Routier—To repeal section sixty of an Act entitled "An Act to establish a Civil Code," relative to the marriage of white persons with negroes or mulattoes.

Also, Senate Bill No. 48—Senator Steele—To regulate the manufacture and sale of intoxicating liquors.

Have had the same under consideration, and respectfully report the same back, without recommendation.

SAXE, Chairman.

ON VINICULTURE AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Viniculture and Viticulture, to whom was referred Senate Bill No. 171—Entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHLER, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following Assembly Bills:

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Also, Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Also, Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Also, Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of the Supreme Court for the thirty-fourth fiscal year.

Also, Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

FRANK D. RYAN, Chief Clerk.

Assembly Bills Nos. 76, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, and 103, referred to Committee on Finance.

Assembly Bill No. 105, referred to Committee on Elections.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Kelly: Senate Bill No. 245—An Act to amend section two thousand five hundred and twenty-five of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties.

Referred to Committee on Commerce and Navigation.

By Mr. Days: Senate Bill No. 246—An Act to establish the office of Public Defender in cities and counties, and counties, having over one hundred thousand inhabitants, and to provide for his compensation and duties.

Referred to Committee on Judiciary.

By Committee on Education: Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

To the file.

By Mr. Perry: Senate Bill No. 248—An Act to amend section two thousand and twenty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to company drills in certain cities.

Referred to Committee on Military Affairs.

By Mr. Cross: Senate Bill No. 249—An Act to provide for the impounding of mining debris.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Mr. Whitney: Senate Bill No. 250—An Act to provide for the removal of the Cabinet Department from the State Library to the University of California.

Referred to Committee on State Library.

Mr. Filcher moved that the rules be suspended, and Assembly Bill No. 108 be taken up out of order.

Ayes and noes demanded on the motion, by Senators Vrooman, Perry, and Parker.

Roll called, and the rules suspended by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Drumm, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Wallis, and Whitney—27.

NOES—Messrs. Creighton, Dougherty, Lynch, McClure, Perry, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Wright—10.

Mr. Filcher moved that Assembly Bill No. 108 be read second time.

Ayes and noes demanded on the motion, by Senators DeLong, Creighton, and Lynch.

At twelve o'clock and five minutes P. M., Mr. Cross moved to adjourn until Monday, February 9, at one o'clock and thirty minutes P. M.

The motion was lost on a division of the Senate—ayes, 15; noes, 18.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred substitute for Assembly Bill No. 12—Entitled "An Act appropriating eighty thousand dollars for the purpose of the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California"—have had the same under consideration, and report the same back, with recommendation that it do pass.

Also, Senate Bill No. 211—Entitled "An Act to establish a branch State Normal School"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JOHNSON, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Education, have had under consideration Senate Bill No. 211—An Act to establish a branch State Normal School—dissent from the majority report, and recommend that the bill do not pass.

J. D. SPENCER.

ON PUBLIC BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 5, 1885.

MR. PRESIDENT: Your Committee on Public Buildings, to whom was referred Senate Bill No. 118—An Act for the relief of Robert McKillean—have had the same under consideration, and respectfully report the same back, and a majority of the committee recommend that it do pass.

The undersigned, while believing the bill to be a meritorious one, reports against its passage, on the ground that under section thirty-two, of article four, of the Constitution of this State, the bill is unconstitutional.

BALDWIN, Chairman.

Mr. Filcher moved to make Assembly Bill No. 108 the special order for Monday, February 9, 1885, immediately after reading the Journal.

Carried.

ADJOURNMENT.

At twelve o'clock and fifteen minutes P. M., Mr. Taylor moved to adjourn until Monday, February 9, 1885, at one o'clock and thirty minutes P. M.

Ayes and noes demanded by Senators Lowe, Parker, and Drum.
Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Langford, Lowe, Lynch, McClure, Palmieri, Parkinson, Reddy, Saxe, Taylor, Vrooman, Wallis, and Wright—22.

NOES—Messrs. Boone, Chandler, Cross, Days, DeLong, Filcher, Hurlburt, Johnson of San Bernardino, Knight, Mahler, Parker, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—16.

Whereupon, the President pro tem. declared the Senate adjourned until Monday, February 9, 1885, at one o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Monday, February 9, 1885.

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

Hon. Benjamin Knight, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of Friday, February 6, 1885, read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Wright.

SPECIAL ORDER.

Second reading—Consideration of Assembly Bill No. 108:

An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Mr. McClure moved to recommit Assembly Bill No. 108 to Finance Committee, with instruction to report to-morrow morning.

Lost.

Mr. Filcher moved that Assembly Bill No. 108 be read second time.
So ordered.

Assembly Bill No. 108—Read second time, and placed on file for third reading.

Mr. Filcher moved to make Assembly Bill No. 108 the special order for Tuesday, February 10, 1885, immediately after reading the Journal.

Carried.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom were referred Senate Bills Nos. 22, 37, 38, 39, 40, 41, and 210—have had the same under consideration, and respectfully report the same back, and recommend that they be considered by the Senate in Committee of the Whole.

TAYLOR, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, February 9, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 200—An Act to create and establish a State Board of Sheep Husbandry, and appropriate money for the expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Senate Concurrent Resolution No. 7—Requesting our Senators and Representatives in the Congress of the United States to urge the passage of laws for the promotion and protection of the viticultural industries of the State of California and other States of the Union—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 9, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 78—Entitled "An Act to create a permanent Code Commission"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 66—Entitled "An Act to provide for making proof of will during the lifetime of testator"—and have adopted a substitute therefor, and now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 101—Entitled "An Act authorizing certain corporations to act as administrator, executor, guardian, trustee, agent, depository, or receiver"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 84—Entitled "An Act to amend section two thousand nine hundred and fifty-five of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, concerning mortgages of personal property"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 85—Entitled "An Act to amend section one thousand two hundred and seventy-six of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the change of names"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 89—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in the State offices"—and do now report the same back, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 92—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil actions"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 94—Entitled "An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities, and cities and counties"—and do now report the same back to the Senate, and recommend that it do not pass.

CROSS, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, have had under consideration Senate Bill No. 3—Entitled "An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor Electoral Districts"—and report the same back, with a substitute therefor, and recommend the adoption and passage of the substitute.

Also, Senate Bill No. 6—Entitled "An Act to provide for the payment into the treasuries of counties, and cities and counties, certain fees and percentages collected by Sheriffs of said counties, and cities and counties"—and report the same back, and recommend its passage.

Also, Senate Bill No. 172—Entitled "An Act to amend an Act entitled 'An Act to establish a

Penal Code," approved February 14, 1872, relating to bribery—and report the same back, with amendments, and recommend its passage, as amended in committee.

Also, Senate Bill No. 173—Entitled "An Act to amend an Act entitled 'An Act in relation to certain deputies, assistants, and copyists of County Clerks,'" approved April 2, 1880—and report the same back, and recommend its passage.

JOHNSON, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Referred to Committee on Hospitals.

Also, Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County.

Referred to Committee on Counties, County Governments, and Township Organization.

Also, Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Referred to Committee on Viticulture and Viniculture.

Also, Assembly Bill No. 69—An Act to provide for a Poor Fund, and regulate its disbursement.

Referred to Committee on Hospitals.

Also, Adopted Senate Concurrent Resolution No. 2—Relative to viticultural industries.

Referred to Committee on Enrollment.

Also, Senate Concurrent Resolution No. 14—Relative to the proposed treaty of the Republic of Nicaragua with the United States.

Referred to Committee on Enrollment.

Also, Assembly Concurrent Resolution No. 9—Relative to the issue of patents to railroad corporations for lands applied for and claimed by such corporations.

Referred to Committee on Public, Swamp, and Overflowed Lands.

Also, Assembly Concurrent Resolution No. 11—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Centennial Exposition at New Orleans.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also, Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law in the University of the State of California,'" approved March 26, 1878.

Referred to Committee on Judiciary.

Also, have concurred in Senate amendment to Assembly Bill No. 82.

Also, Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Referred to Committee on City, City and County, and Town Governments.

FRANK D. RYAN, Chief Clerk.

PETITION—(OUT OF ORDER).

By Mr. Cox: A memorial and petition concerning the Mineralogical Cabinet in the Capitol:

To the honorable the Senate and Assembly of the Legislature of California:

At a meeting of the California Museum Association, held in Sacramento February 7, 1885, the President and Board of Directors were instructed, by unanimous vote, to present to the honor-

able the Legislature of California the following memorial, unanimously adopted by said association:

Your memorialists respectfully represent, that there is in the State Capitol a cabinet of mineral specimens belonging to the State. That it is in charge of the Directory of the State Library. That it is an attraction and of great interest to visitors to the State who also visit the Capitol of California. That it is the only object of scientific interest in the Capitol. That a bill has been introduced for the removal of the cabinet to the State University, and that your memorialists believe there is no need for such removal, and that to effect it will accomplish no greater good than to permit its retention in the Capitol.

Your memorialists further represent, that the people of the capital city have undertaken the organization of a scientific association, which your petitioners represent, and which is one of large promise and complete organization, and is intended to add other objects of curious interest and scientific value to those now in this city. That to remove the State's mineral cabinet will discourage that effort, which is being conducted solely for the benefit and culture of the people, and for the dissemination of broader information concerning the resources of the State.

Your memorialists respectfully represent, that the State has a full and ample mineralogical exhibit at San Francisco, and which is rapidly increasing in value and interest. That the State University has also cabinets and laboratories, and that there is no pressing need that the cabinet in the Capitol building should be removed and added to either of the other two.

Your petitioners further represent, that the cabinet now in the Capitol is exhibited by the employes of the State to visitors without cost to the State, and that there is no outgo for its care and maintenance; that large numbers of the citizens of the State, as well as people from abroad, annually visit the Capitol, and are courteously shown its interior and such attractions as it possesses, and that to remove any of these will detract from the interest a Capitol should possess.

Your memorialists respectfully represent, that one of the aims of their organization is to make the Capitol of the State fittingly attractive to visitors, and to comport with the dignity of the State, and that to that end it is their duty and pleasure to invite the attention of visitors to the cabinet in question. Wherefore, your memorialists pray that the Senate Bill introduced for the removal of said cabinet to the State University may not pass.

DAVID LUBIN, President,
F. E. RAY, Vice-President,
JAMES I. FELTER, Treasurer,
J. R. RAY, Secretary,
J. A. WOODSON,
JOSEPH STEFFENS,
CHRIS. GREEN,
C. E. GRUNSKY,
GEORGE PYBURN,
J. W. ARMSTRONG,
F. W. JACKSON,

Directors California Museum Association.

SACRAMENTO, February 9, 1885.

INTRODUCTION OF BILLS.

Referred to Committee on State Library.

The following bills were introduced, read by title, and referred to committees:

By Mr. Johnson of San Bernardino: Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Referred to Committee on City, City and County, and Town Governments.

Also, Senate Bill No. 252—An Act to repeal section five of an Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino, approved February 14, 1878.

Referred to Committee on Judiciary.

By Mr. McClure: Senate Bill No. 253—An Act to appropriate money to Wright & Sanders, to pay the balance due them for services as architects in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 254—An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract for services as architects in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 255—An Act to appropriate money to E. S. Mayberry, to pay the balance due him under his contract for carpenter work in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 256—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing statuary in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 257—An Act to appropriate money to W. F. Wilson & Co., to pay the balance due them under their contract for doing the plumbing in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 258—An Act to appropriate money to Cox & Colby, to pay the balance due them under their contract for furnishing the brick for the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 259—An Act to appropriate money to Cox & Warren, to pay the balance due them under their contract for plastering in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 260—An Act to appropriate money to James Hunter & Co., to pay the balance due them under their contract for doing tin work in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 261—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing artificial stone in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 262—An Act to appropriate money to W. W. Montague & Co., to pay the balance due them under their contract for furnishing materials in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 263—An Act to appropriate money to George J. Mothersole, to pay the balance due him on his contract for furnishing slating in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 264—An Act to appropriate money to Baker, Smith & Co., to pay the balance due them under their contract for furnishing heating apparatus in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 265—An Act to appropriate money to the Electrical Construction and Maintenance Company, to pay the balance due them under their contract for furnishing electrical apparatus in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 266—An Act to appropriate money to Robert Ewing, to pay the balance due him under his contract for brick-work in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Senate Bill No. 267—An Act to appropriate money to Noble & Gallagher, to pay the balance due them under their contract for the painting in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

By Mr. Dougherty: Senate Bill No. 268—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered two hundred and nine, relative to selling human beings, and placing human beings under restraint and in brothels.

Referred to Committee on Public Morals.

By Mr. Vrooman: Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Referred to Committee on Judiciary.

Also, Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Referred to Committee on Judiciary.

By Mr. Mahler: Senate Bill No. 271—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Referred to Committee on City, City and County, and Town Governments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 120—An Act to appropriate money to pay the claim of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, versus A. Pfeiffer et al., in the Third District Court for Alameda County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

RESOLUTIONS—(OUT OF ORDER).

Mr. DeLong offered a resolution from the Board of Trustees of the Chamber of Commerce of San Francisco, and also one from the Board of Trade of San Francisco, in favor of the passage of Senate Bill No. 18—An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture, and to appropriate money therefor.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Knight: Senate Bill No. 272—An Act to amend sections two thousand two hundred and eighteen and two thousand two hundred and twenty-two of an Act to establish a Political Code, approved March 12, 1872, relative to the care by Sheriffs of insane persons.

Referred to Committee on Hospitals.

Also, Senate Bill No. 273—An Act to amend section twenty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on Counties, County Governments, and Township Organization.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—30.

NOES—None.

Title read and approved.

Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of the Law, San Francisco.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—30.

NOES—None.

Title read and approved.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—30.

NOES—Mr. Filcher—1.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Johnson of Sonoma was granted one day's leave of absence.

SECOND READING OF BILLS.

Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

Mr. Days moved to make this bill the special order for to-morrow morning, immediately after consideration of special order (Assembly Bill No. 108).

Lost.

CALL OF THE SENATE.

Mr. Perry moved a call of the Senate.

Carried.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Del Valle.

On motion of Mr. Perry, further proceedings under the call of the Senate were dispensed with.

Mr. Days moved to make Senate Bill No. 31 the special order for to-morrow, immediately after recess.

Ayes and noes demanded on the motion, by Senators Parkinson, Days, and Johnson of San Bernardino.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Chandler, Cross, Days, Johnson of San Bernardino, Knight, Mahler, McClure, Parker, Parkinson, Saxe, Vrooman, and Whitney—13.

NOES—Messrs. Beauvais, Cox, DeLong, Dougherty, Filcher, Foster, Hurlburt, Kelly, Langford, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—18.

Mr. Boone moved to postpone further consideration of Senate Bill No. 31 until to-morrow, at eleven o'clock and thirty minutes A. M.

Carried.

Senate Bill No. 59—An Act amending section six, of article four, of the Constitution of the State of California, in relation to election of members of the Legislature.

Mr. Days moved that this bill be passed on file.

So ordered.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read second time, ordered engrossed, and placed on file for third reading.

FIRST READING OF BILLS.

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 48—An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read third time, and passage refused by the following vote:

AYES—Messrs. Beaulieu, Cox, Cross, DeLong, Fitzgerald, Dunn, Kelly, Knight, Mahler, Palmieri, Perry, Routier, Saxe, Speaker of Naval Affairs, and Whitney—16.

NOES—Messrs. Beaulieu, Chatham, Davis, Fawcett, Foster, Harbort, Johnson of San Bernardino, Keiser, McClure, Parker, Parkerson, Reddy, Speaker of State Affairs, Steele, Vreeland, and Wells—16.

Mr. McClure gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 27 was refused passage.

Senate Bill No. 34—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial.

Mr. Perry moved that this bill be passed on file.

Mr. Kellogg raised the point of order, that as the day for reconsideration had passed, this bill had no place on the file.

The President pro tem. sustained the point of order.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Cross: Senate Bill No. 274—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal cases.

Referred to Committee on Judiciary.

SECOND READING OF BILLS.

Senate Bill No. 43—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

On motion of Mr. Reddy, this bill was passed on file.

Senate Bill No. 46—An Act to amend section sixty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the issuance of marriage licenses.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators McClure, Routier, and Palmieri.

Roll called, and the bill refused second reading by the following vote:

AYES—Messrs. Beaulieu, Boone, Davis, Johnson of San Bernardino, McClure, Palmieri, Parker, Perry, Routier, Saxe, Steele, and Taylor—12.

NOES—Messrs. Cox, Cross, DeLong, Drum, Filcher, Foster, Kelly, Kellogg, Knight, Langford, Mahler, Parkinson, Reddy, Spencer of Napa, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—18.

At four o'clock and forty minutes p. m., Mr. Spencer of Napa moved to adjourn.

Lost.

Senate Bill No. 133—An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports.

Read second time, and on motion of Mr. Kellogg, amended, by striking out all of section three of said bill.

Senate Bill No. 133—Ordered engrossed, and placed on file for third reading.

Senate Bill No. 138—An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms."

Read second time, ordered engrossed, and placed on file for third reading.

Mr. Boone asked leave to withdraw Senate Bill No. 70.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 10—An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property.

Read first time, and placed on file for second reading.

Senate Bill No. 80—An Act creating a State and County Board of Examiners, and prescribing their duties and powers.

Read first time, and placed on file for second reading.

At four o'clock and fifty minutes p. m., Mr. Boone moved to adjourn.

Lost.

Senate Bill No. 62—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public.

Read first time, and placed on file for second reading.

Senate Bill No. 64—An Act to amend the Civil Code of the State of California, relating to marriages, by repealing section seventy-five of said Code.

First reading refused.

Mr. Langford gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 64 was refused a first reading.

Senate Bill No. 115—An Act to pay the claim of P. J. O'Connor, for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

On a division of the Senate, this bill was ordered read first time—ayes, 17; noes, 2.

Read first time, and placed on file for second reading.

Senate Bill No. 55—An Act to amend section six hundred and ninety of the Code of Civil Procedure.

On a division of the Senate, this bill was ordered read first time—ayes, 18; noes, 1.

Read first time, and placed on file for second reading.

At five o'clock p. m., Mr. Cox moved to adjourn.

Lost.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read first time, and placed on file for second reading.

Senate Bill No. 51—An Act to amend section four hundred and thirty-three of the Political Code, relative to the duty of the Controller.

Read first time, and placed on file for second reading.

At five o'clock and ten minutes p. m., Mr. Steele moved to adjourn.

Ayes and noes demanded on the motion, by Senators Routier, Drum, and Perry.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Drum, Hurlburt, Knight, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, and Taylor—13.

NOES—Messrs. Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Filcher, Foster, Johnson of San Bernardino, Kellogg, Langford, McClure, Parker, Saxe, Spencer of Napa, Wallis, and Whitney—18.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 156—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the duties of School Superintendents.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At five o'clock and fifteen minutes p. m., Mr. Perry moved to adjourn.

Ayes and noes demanded on the motion, by Senators Cox, Perry, and Reddy.

Roll called, with the following result:

AYES—Messrs. Beauvais, Cox, Days, DeLong, Dougherty, Foster, Hurlburt, Knight, Langford, Mahler, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Steele, and Vrooman—17.

NOES—Messrs. Boone, Chandler, Cross, Drum, Filcher, Johnson of San Bernardino, Kelly, Kellogg, McClure, Parker, Parkinson, Reddy, Spencer of Stanislaus, Taylor, Wallis, and Whitney—16.

Whereupon the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 10, 1885. }

The Senate met at eleven o'clock a. m., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

RECONSIDERATION.

Mr. McClure moved to reconsider the vote whereby Senate Bill No. 27 was refused passage on yesterday.

Mr. Cross moved to lay the motion to reconsider on the table.

Lost.

The question being on the original motion, the same was carried on a division of the Senate—ayes, 22; noes, 4.

Mr. McClure moved that Senate Bill No. 27 be placed on the third reading file until the arrival of the author.

So ordered.

Mr. Langford moved to reconsider the vote whereby Senate Bill No. 64 was refused a first reading on yesterday.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 108—Third reading:

An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—33.

NOES—None.

Title read and approved.

Special order for eleven o'clock and thirty minutes A. M.

Senate Bill No. 31—Second reading:

An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

Mr. Days offered the following, as a substitute for Senate Bill No. 31:

AN ACT

To provide for compiling, illustrating, electrotyping, and printing a State series of school text-books.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Board of Education shall compile, or cause to be compiled, for use in the common schools of the State, a series of school text books of the following description, viz.: Three (3) Readers, one (1) Speller, one (1) Arithmetic, one (1) Grammar, one (1) History of the United States, and one (1) Geography. The matter contained in the Readers shall consist of lessons commencing with the simplest expressions of the language, and, by a regular gradation, advancing to and including the highest styles of composition, both in prose and poetry.

SEC. 2. The State Board of Education shall employ well qualified persons to compile the books mentioned in sections one and two of this Act, and shall fix the remuneration for the services thus rendered; *provided*, that if competent authors shall compile any one or more works of the first order of excellence, and shall offer the same as a free gift to the people of the State, it shall be the duty of the State Board of Education to accept such gift, and to expend no money for the purpose of compiling works relating to the subjects treated of in the books thus

donated. The State Board of Education shall furnish to the Superintendent of State Printing, designs for all cuts and engravings to be used in the said series of text-books.

SEC. 3. The printing of all the text-books provided for in section one of this Act, and all the mechanical work connected therewith, shall be done by and under the supervision of the Superintendent of State Printing at the State Printing Office; *provided*, that the purchase of paper for the school books, and the cardboards, cloth, and leather for covers, shall be procured by advertising for proposals to furnish the same, in the manner now provided for by section five hundred and thirty-two of the Political Code, relating to paper supplies for the State Printing Office; and, *provided further*, that when the State has its bindery in operation, all folding, stitching, binding, and ruling of the State shall be done in the State bindery; but the accounts of the school book binding shall be kept separate from those of all other binding.

SEC. 4. The State Board of Education shall secure copyrights to all the books that shall be compiled under the provisions of this Act, and shall protect said copyrights from all infringement. If any other State shall desire to adopt and use in their schools any one or more of the books that shall be compiled by the State of California, under the provisions of this Act, the State Board of Education may grant to such other State the privilege of adopting and printing said book or books. Duplicate sets of electrotype plates may also be furnished to such other State on prepayment of the full and entire cost of the manufacture and shipment of the same. If any other State shall cause an original series of school text-books to be compiled for the use of the schools of such State, and if any one or more of said books shall be deemed worthy of adoption and use in the schools of the State of California, the State Board of Education shall have power to enter into a contract with such other State for an interchange of copyrights, each of the contracting parties agreeing to grant to the other the privilege of printing and using its books, and also agreeing to furnish electrotype plates at cost.

SEC. 5. Whenever any one or more of the State series of school text-books shall have been compiled and adopted, the State Board of Education shall issue an order requiring the uniform use of said book or books in the common schools of the State; but said order for the uniform use of said book or books shall not take effect till the expiration of at least one year from the time of the completion of the electrotype plates of said book or books. Nothing in this Act shall be construed to prevent any county or school district from adopting any one or more of the State series of school text-books whenever said book or books shall have been published.

SEC. 6. The process of distribution of the text-books shall follow this course: The County Superintendents of Schools shall make such requisitions for books as the schools under their jurisdiction may require, upon the State Superintendent of Public Instruction; the State Superintendent of Public Instruction shall then make requisition for the same on the Superintendent of State Printing, who shall ship the books to their destination. All requisitions from County School Superintendents for books shall be accompanied by the cash price fixed for the same by the State Board of Education, and the State Superintendent of Public Instruction shall make no requisition for books upon the Superintendent of State Printing unless he shall have received the lawful price for the same. And it shall be the duty of the Superintendent of Public Instruction to report to the State Controller on or before the fifth day of every month, the number of books sold by him during the preceding month, and to pay the moneys received for the same into the State Treasury. It shall also be the duty of the Superintendent of State Printing to make a monthly report to the State Controller of the number and value of the books shipped by him on the order of the State Superintendent of Public Instruction, and the number and value of the finished books on hand.

SEC. 7. It shall be the duty of the Boards of Supervisors of the counties, or cities and counties, in this State, to provide a revolving fund, for the purpose of enabling the County School Superintendents to purchase the State text-books: all moneys to be taken therefrom to be replaced by the moneys received from the teachers of the common schools in the several counties for the books furnished by them to the scholars.

SEC. 8. The sum of twenty thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the purpose of compiling, or causing to be compiled, the series of text-books for the common schools as set forth in section one of this Act. The appropriation provided for in this section shall be subject to the order of the State Board of Education; *provided*, that all demands against said appropriation shall first be approved by said State Board of Education and presented to the State Board of Examiners in itemized form for their approval, and upon the approval of the State Board of Examiners the Controller is hereby authorized to draw his warrant upon the State Treasurer for the payment of said demands, and the State Treasurer is authorized to pay the same.

SEC. 9. The sum of one hundred and fifty thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to purchase the necessary machinery, presses, types, bindery, electrotyping apparatus, and such other material as may be required in the manufacture of the text-books provided for in section one of this Act, as well as to pay the salaries or wages of the compositors, binders, and other persons to be employed in such manufacture, said sum to be drawn by the Superintendent of State Printing in the same manner as provided in subdivision six of section five hundred and twenty-six of the Political Code.

SEC. 10. The school books published under the provisions of this Act shall be furnished to the common school children of the State at cost, the same to be ascertained and fixed by the State Board of Education at the beginning of each school year.

SEC. 11. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

SEC. 12. This Act shall take effect immediately.

The substitute was adopted.

Mr. Boone offered the following amendment to the substitute: Add a new section:

Sec. 11. The State Superintendent of Public Instruction shall, upon application therefor, give written permission to any person or firm applying for the same, to print, publish, and sell the State series of text-books for the use of the common schools of the State; but every person or firm receiving such written permission shall be required to print his name, or the name of the firm publishing the same, in characters not less than one fourth of an inch in length, at the top of the title page, and also on the outside cover, of each book printed or published by him or it. The Superintendent of Public Instruction shall prescribe the style of type in which the publisher's name shall be printed, which style of type shall be uniform for all books so printed, and shall be the most conspicuous type on the title page and covers of the books. If any such printer or publisher of the State series of school text-books shall fail to comply with the conditions prescribed in this section, his permission to print and sell such books shall be revoked by the Superintendent of Public Instruction. No printing of said books shall be permitted, except from the electrotype plates belonging to the State, or from duplicates thereof; and any printing of said books otherwise than from said electrotype plates or duplicates thereof, and any printing without the permission of the Superintendent of Public Instruction, shall be considered as an infringement of copyright, and such person or persons so offending shall be prosecuted accordingly. Any person or firm who shall, in accordance with the provisions of this section, have received permission as herein provided to print, publish, and sell the State series of school text-books for the use of the common schools of the State, shall be furnished with a duplicate set of electrotype plates of any one or more of said books, on prepayment of the full and entire cost of the manufacture of the same.

Amendment lost.

Substitute for Senate Bill No. 31, read second time, ordered engrossed, and placed on file for third reading.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Reddy moved to take up Assembly Bill No. 12 out of order.
So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the adult blind of the State of California.

Read first time, and placed on file for second reading.

Mr. Vrooman moved to take up Senate Bill No. 118 out of order.
So ordered.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

Read first time, and placed on file for second reading.

Mr. Vrooman moved to place Senate Bill No. 118 on special file.

Ayes and noes demanded on the motion, by Senators Cross, Boone, and Knight.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—29.

NOES—Messrs. Cross, Kelly, Saxe, Spencer of Napa, and Spencer of Stanislaus—5.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 75—Entitled an Act to amend section one thousand one hundred and forty-two of the Political

Code, relating to Boards of Elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Elections, to whom was referred Assembly Bill No. 75—Entitled an Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Elections—dissent from the report of the majority of said committee, and respectfully report the same back, and recommend that it do not pass.

W. W. KELLOGG.
DENNIS SPENCER.

Mr. Baldwin moved to take up Senate Bill No. 74 out of order.
So ordered.

FIRST READING OF BILLS.

Senate Bill No. 74—An Act entitled "An Act to provide for the further management of the State asylums for the insane."

Read first time, and placed on file for second reading.

RECESS.

At twelve o'clock and thirty minutes P. M., the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Steele and Lowe.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 52—Entitled "An Act to provide for the erection of buildings for the custody of insane criminals, and persons charged with crime, and to appropriate money therefor"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended, by inserting on line one, section one, after the word "of," the word "fifteen."

REDDY, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 232—"An Act to provide for including within any reclamation district in this State certain lands requiring protection from overflow, and which may be protected by the same system of works as shall be required for the protection of the lands originally embraced

within said district"—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

COX, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 164, 138, and 133—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON VINICULTURE AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Viniculture and Viticulture, to whom was referred Assembly Bill No. 243—An Act to enlarge the duties of the Board of State Viticultural Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHLER, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 9, 1885.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 49—have had the same under consideration, and respectfully report the same back, and recommend that it be considered by the Senate in Committee of the Whole.

TAYLOR, Chairman.

Mr. Taylor gave notice as follows:

I hereby give notice that, on to-morrow, I will introduce the following resolution:

WHEREAS, The Committee on Irrigation and Water Rights has reported to the Senate Senate Bills Nos. 22, 37, 38, 39, 40, 41, and 49, recommending that the same be considered in Committee of the Whole of the Senate; therefore,

Resolved, That the Standing Rules of the Senate be amended by adding thereto an additional rule, as follows:

L.—COMMITTEE OF THE WHOLE ON IRRIGATION AND WATER RIGHTS.

Bills referred to the Committee on Irrigation and Water Rights, and by it reported to the Senate, with the recommendation that they be considered in Committee of the Whole, and shall be so considered from three o'clock and thirty minutes to five o'clock P. M. of each day, and at said hour of three o'clock and thirty minutes of each day the President shall declare the Senate to be resolved into the Committee of the Whole for such purpose, and the same shall be a special order for each day until all of the said bills are reported to the Senate.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Routier: Senate Bill No. 275—An Act to pay the heirs of John O. Brown the sum of two thousand three hundred dollars and forty cents, for goods, wares, and merchandise, furnished to the State for the construction of the branch State Prison at the town of Folsom, at the instance and request of the Superintendent of said work.

Referred to Committee on Claims.

Also, Senate Bill No. 276—An Act to amend section one thousand six hundred and seventy-two of the Political Code, relating to public schools, and the examination and certificates of teachers.

Referred to Committee on Education.

Also, Senate Bill No. 277—An Act to amend section one thousand six hundred and sixty-five of the Political Code, in relation to public schools, and the branches of instruction to be given therein.

Referred to Committee on Education.

By Mr. Cox: Senate Bill No. 278—An Act to enable John Hoagland, James Reed, Mrs. Rebecca C. Hoagland, George Cooper, William B. Todhunter, Mrs. Mary W. G. Van Arsdall, Henry Lienburger, Christopher Green, and Charles Trainor to sue the State of California.

Referred to Committee on Judiciary.

By Mr. Kelly: Senate Bill No. 279—An Act to secure the payment of workmen for the labor performed, or materials furnished, either by contract or otherwise.

Referred to Committee on Labor and Capital.

By Mr. Filcher: Senate Bill No. 280—An Act to restrict the use of granite produced from the quarries of the State, and to provide a penalty for a violation of the same.

Referred to Committee on State Prisons and Prison Buildings.

By Mr. Days: Senate Bill No. 281—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, with legal interest thereon, to pay the amount found by the Sixth Judicial District Court to be due M. Miles and his sureties, for work done under contract in building the State Prison at Folsom.

Referred to Committee on Claims.

RESOLUTION—(OUT OF ORDER).

By Mr. Dougherty:

Resolved, That the Judiciary Committee be requested to report back, forthwith, Senate Bill No. 20.

On motion of Mr. Dougherty, the resolution was adopted.

Mr. Spencer of Napa moved that Assembly Bill No. 421 be re-referred to Committee on Education.

So ordered.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Saxe: Senate Concurrent Resolution No. 19—Requesting our Senators and Representatives in the Congress of the United States to urge the amendment of the United States Statutes, relative to sale of public lands west of the Rocky Mountains:

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators and Representatives in Congress be requested to urge the amendment of the United States Statutes, relative to sale of public lands, so as to provide that hereafter all such lands lying west of the Rocky Mountains shall be sold subject to the right of appropriation of the surplus water in streams running through the same, for irrigation, mining, and other useful purposes.

Referred to Committee on Irrigation and Water Rights.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and

bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Filcher, Kelly, and McClure—3.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 59—An Act amending section six, of article four, of the Constitution of the State of California, in relation to election of members of the Legislature.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators McClure, Johnson of San Bernardino, and Days.

Roll called, and the bill refused second reading by the following vote:

AYES—Messrs. Baldwin, Boone, Days, Johnson of San Bernardino, Kelly, Mahler, McClure, Palmieri, Routier, Saxe, Spencer of Stanislaus, Vrooman, Whitney, and Wright—14.

NOES—Messrs. Beauvais, Chandler, Cox, Cross, DeLong, Drum, Filcher, Hurlburt, Kellogg, Knight, Langford, Lynch, Parker, Parkinson, Perry, Reddy, Spencer of Napa, and Wallis—18.

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Substitute of committee, as follows, adopted:

AN ACT

To provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Capitol Commissioners are directed to construct a sidewalk about the State Capitol grounds, on L, N, and Tenth Streets. The sidewalk from a point on L Street opposite east side of Eleventh Street, thence along L Street to Tenth Street, thence along Tenth Street to N Street, thence along N Street to a point opposite east side of Eleventh Street, must be constructed of concrete, and of a quality and in workmanship equal to the concrete walks already laid down on the Capitol grounds. The sidewalk from Eleventh to Fifteenth Street, to be laid down respectively on L and N Streets, must be constructed of wood. Both walks are to be of such width as is agreeable to the ordinances of the City of Sacramento.

SEC. 2. The sum of nine thousand and five hundred dollars is hereby appropriated out of any money in the General Fund of the State Treasury for the purpose of carrying out the provisions of this Act.

Mr. Whitney moved to amend section one by striking out the words "in blocks" between the word "concrete" and the word "and."

Ayes and noes demanded on the adoption of the amendment, by Senators Baldwin, Johnson of San Bernardino, and Boone.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cross, Days, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Mahler, Parker, Parkinson, Saxe, Vrooman, Wallis, Whitney, and Wright—18.

NOES—Messrs. Beauvais, Cox, Creighton, DeLong, Del Valle, Dougherty, Drum, Filcher, Kellogg, Lowe, McClure, Palmieri, Perry, Reddy, Routier, Spencer of Napa, and Taylor—17.

Substitute for Senate Bill No. 114, as amended, read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 48—An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors.

Mr. Perry moved that this bill be passed on file, as the author, Mr. Steele, was not present.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 211—An Act to establish a branch State Normal School.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

On motion of Mr. Lynch, this bill was passed on file.

Senate Bill No. 133—An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—None.

Title read and approved.

Senate Bill No. 138—An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms."

Read third time, and passage refused by the following vote:

AYES—Messrs. Beauvais, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Knight, Mahler, Palmieri, Parkinson, Vrooman, and Wright—12.

NOES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, Del Valle, Drum, Filcher, Johnson of Sonoma, Kelly, Kellogg, Langford, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Wallis, and Whitney—21.

Mr. Whitney gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 138 was refused passage.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Judiciary, in accordance with a resolution of this Senate, respectfully report back to the Senate Senate Bill No. 20—Entitled "An Act to require payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

CROSS, Chairman.

SECOND READING OF BILLS.

Senate Bill No. 43—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

After debate, Mr. McClure moved to pass this bill on file and place it at the head of second reading file for to-morrow.

Ayes and noes demanded on the motion, by Senators Cross, Baldwin, and Drum.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Vrooman, Whitney, and Wright—28.

NOES—Messrs. Cross, Dougherty, Hurlburt, Kelly, and Kellogg—5.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Dougherty moved to take up Senate Bill No. 20.

Ayes and noes demanded on the motion, by Senators Dougherty, Drum, and Creighton.

Roll called, and motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Wallis, and Whitney—28.

NOES—Messrs. Boone, Days, and Hurlburt—3.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 10—An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property.

On motion of Mr. Days, section one was amended as follows:

Add to section one, after the word "wife."

And at the death of the husband the community property shall be liable for the community debts, except, that if after the payment of the expenses of the last illness and funeral charges of the deceased, the value of the community property does not exceed the sum of one thousand five hundred dollars, it shall be exempt from execution.

Read second time.

Upon the question, "Shall this bill be engrossed and read a third time?"

The ayes and noes were demanded by Senators Days, Parkinson, and Johnson of San Bernardino.

Roll called, and the bill refused engrossment and third reading by the following vote:

AYES—Messrs. Filcher, Hurlburt, Johnson of San Bernardino, Mahler, Palmieri, Parkinson, Routier, Saxe, and Spencer of Stanislaus—9.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Johnson of Sonoma, Kelly, Knight, Langford, McClure, Parker, Reddy, Spencer of Napa, Vrooman, Whitney, and Wright—23.

Mr. Days gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 10 was refused engrossment and third reading.

Senate Bill No. 80—An Act creating a State and County Board of Examiners, and prescribing their duties and powers.

Section one read second time, and amendment of the committee as follows, adopted: strike out in this bill the following words in section one, viz., "be prominently connected at any time with any political organization, during their term of office, nor shall they."

Mr. Whitney moved to amend section one, line two, by striking out the word "four," and inserting in lieu thereof the word "seven."

Mr. Cross moved to amend the amendment by striking out the word "four," and inserting in lieu thereof the word "thirteen."

Lost.

Mr. Boone moved to amend the amendment, by striking out the word "four," and inserting in lieu thereof the word "three."

The amendment, as amended, adopted.

Section two read second time.

Section three read second time.

Mr. Boone offered the following amendment to section three: amend section three by striking out, on line four, the words "and of every county officer."

Ayes and noes demanded on the amendment, by Senators Knight, Boone, and Creighton.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Del Valle, Dougherty, Hurlburt, Johnson of Sonoma, Kelly, Langford, Mahler, Palmeri, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Napa, Whitney, and Wright—19.

NOES—Messrs. Beauvais, Cox, Creighton, Cross, Days, DeLong, Drum, Filcher, Johnson of San Bernardino, Kellogg, Knight, McClure, Routier, Spencer of Stanislaus, Vrooman, and Wallis—16.

Mr. Parkinson moved to strike out the enacting clause.

Ayes and noes demanded on the motion, by Senators Vrooman, Whitney, and McClure.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cross, Del Valle, Dougherty, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, Parkinson, Saxe, Spencer of Napa, Spencer of Stanislaus, and Taylor—14.

NOES—Messrs. Beauvais, Boone, Creighton, Days, DeLong, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, McClure, Palmeri, Parker, Perry, Reddy, Routier, Vrooman, Wallis, and Whitney—20.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. McClure, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Wednesday, February 11, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

QUESTION OF PRIVILEGE.

Mr. Boone arose to a question of privilege. He read from the Sacramento Record-Union of February 11, 1885, an article, which he pronounced as misrepresenting him in regard to his amendment proposed by him to the substitute for Senate Bill No. 31, and disclaimed all personal or interested motives, stating that his action in that matter was solely prompted by his desire to protect the interests of the people.

RESOLUTION—(OUT OF ORDER).

By Mr. Wallis:

Resolved, That a special committee, to consist of five members of the Senate, to be selected by the President of the Senate, be and is hereby appointed to inquire into the defalcations in the State Treasury, occurring under the late State Treasurer, and to report to this body the full investigation of all matters and things connected with the embezzlement of either State or county funds, said committee to have full power to send for persons and papers.

On motion of Mr. Wallis, the resolution was adopted.

PETITIONS.

Mr. Reddy offered three petitions from residents and taxpayers of Kern County, urging the Legislature to enact a law recognizing and establishing the right of appropriation of water of the streams in the San Joaquin Valley, for the purpose of irrigation.

Referred to Committee on Irrigation.

Mr. Cox offered a petition from taxpayers of Kern County, relating to Assembly Bills Nos. 170 and 171.

Referred to Committee on Irrigation.

Mr. Steele offered petitions from several counties, relating to the manufacture and sale of intoxicating liquors.

Referred to Committee on Public Morals.

Mr. Foster offered four petitions from citizens of Tehama County, in reference to the establishment of a branch State Normal School in the northern part of this State.

REPORTS OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 75—Entitled "An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable"—have had the same under consideration, and herewith present a substitute for the original bill, with the recommendation that the substitute do pass.

KELLY, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan, in collections of claims due the State of California from the United States—have had the same under consideration, and report the same back, with a new preamble in lieu of the original, and your committee recommend that the resolution, with the amended preamble, do pass.

BALDWIN, Chairman.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 168—An Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery, and blank books, and county advertising—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

D. SPENCER, Chairman.

ON VINICULTURE AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Viniculture and Viticulture, to whom was referred Assembly Concurrent Resolution No. 6—Relative to viticultural industries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHLER, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 195—An Act providing for the payment of a balance of a judgment due in favor of Tristram C. Gilman against the County of Contra Costa—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Senate Bill No. 215—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, Second Brigade, National Guard California, pursuant to Special Orders Number Twenty-six, series 1880, issued from General Headquarters—have had the same under consideration, and respectfully report the same back, without recommendation.

BEAUVAIS, Acting Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 427—An Act to provide for a Contingent Fund for the twenty-sixth session of the Legislature.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Finance.

RECONSIDERATION.

Mr. Days moved to reconsider the vote whereby Senate Bill No. 10 was refused engrossment and third reading.

Ayes and noes demanded on the motion, by Senators Filcher, Steele, and Days.

Roll called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Cox, Days, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—24.

NOES—Messrs. Baldwin, Boone, Chandler, Creighton, Del Valle, Johnson of Sonoma, Kellogg, Langford, Parker, Perry, and Spencer of Napa—11.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

MESSRS. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 162—An Act to prohibit the burial of dead bodies within the corporate limits of cities, towns, and counties, and to provide for burials in other places—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Senate Bill No. 231—An Act to establish the "California Home for the Care and Training of Feeble-minded Children"—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education.

Also, Senate Bill No. 178—An Act to amend title five, chapter one, of the Political Code, by adding thereto a new article, to be known as article seven.

Also, Senate Bill No. 272—An Act to amend section two thousand two hundred and eighteen and section two thousand two hundred and twenty-two of an Act to establish a Political Code, approved March 12, 1872, relative to the care by Sheriffs of insane persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also:

MR. PRESIDENT: Your Committee on Hospitals herewith report that they have visited and examined the insane asylums at Stockton and Napa, and devoted to the inspection of each institution all the attention which their limited time allowed. Each asylum is managed in a very commendable manner, and your committee have no suggestions to offer in this respect. Dr. W. T. Browne, the Resident Physician at Stockton, and Dr. E. T. Wilkins, the Resident Physician at Napa, alike merit commendation for their enlightened, assiduous, and humane treatment and care of the unfortunate persons committed to their custody and care. The excellent results of their study and treatment are most satisfactorily demonstrated in the statistics, which give in detailed and in general form the practical workings of similar institutions in other States and in the enlightened nations of Europe. While the ratio of cases is larger than in almost any of the older States, the average cost of keeping the insane is considerably less. This good result is attributable to the efficiency, economy, and discipline of the Resident Physicians, respectively, and to the vigilant care of the Boards of Directors. The appropriations of money by the State to these asylums have been prudently and frugally applied in ways and means most beneficial to the inmates and to the public good.

In each asylum your committee found that cleanliness, which promotes health, and that mild and humane government which assures cure in all possible cases and alleviates the condition of the incurable. There is no cause for animadversion or complaint, as respects either asylum in relation to its management, and the same can be truly remarked in connection with the care of the buildings and grounds and accessories. An intelligent appreciation of the duties to be performed, and a conscientious determination to faithfully perform these duties, are conspicuous and apparent. But there is an evil notably observed in each asylum. It is the overcrowding. And this should be remedied, as it must be sooner or later, and every day it is deferred the cost will be greater to the State, to say nothing of the incalculable harm it will result in to the unfortunate inmates under treatment. Cases of aberration, or dementation, which, under favorable circumstances, might be curable, may become cases of incurable insanity when improperly

treated, or if subjected to influences which aggravate instead of alleviate the disorder. And this is the result to be feared from the overcrowding of asylums for the insane, as the State institutions at Stockton and Napa are now overcrowded. This involves the State in greater expense, and inflicts indescribable evil upon the sufferers.

Your committee witnessed at the Stockton Asylum, on the morning of their visit—a morning of unusually cold temperature—twenty-seven shivering inmates huddled and crowded in a room only twelve by fourteen feet, in which was a stove, endeavoring to warm themselves by the heat it gave, and others were walking vigorously in the corridor to the same purpose. This was not an exceptional case: it occurs during the months of inclement weather; and it ought not to be. But the greater evil of this overcrowding is more apparent and more harmful in the regular daily life of the inmates. It is a well determined fact, in the treatment of the insane, that the asylums for their care and cure should be so provided that separate rooms be allotted to each. This is impossible, with the present means of keeping and the excess of patients. Two, and often three, are put in the small rooms—we prefer not to call them cells—which were intended for only one patient, and at Stockton, and Napa alike, not only has this to be done, but the corridors are converted—perverted would be the fitter word—into sleeping spaces. This affects the cleanliness, and therefore the health of the patient, and leads to other ills unmentionable, considering the conditions of the patients. If it be not a disgrace to the State, it is certainly a serious wrong or injury to the unfortunates subjected to it, and costs the State more money at last than would be required to adequately provide the essential accommodations in conformity to the best approved system of caring for this disordered class.

Figures as to capacity cannot be given so accurately in relation to the Stockton Asylum as to that of Napa, but enough can be instanced in respect to each institution to make the matter clear to any comprehension. The statistical records of the asylum at Stockton show that in the first year of its establishment, in 1851, there were only thirteen patients admitted. In 1852, there were one hundred and twenty-four. There are now nearly one thousand four hundred inmates, and every year the number is increasing in more than the ratio of the increase of population, so that the accommodations are entirely inadequate to the constantly developing requirements. The Act of 1872, providing for the establishment of the insane asylum at Napa, required that "the plans and specifications of said asylum shall be upon the basis of accommodating not exceeding five hundred patients at any one time." There are now more than one thousand three hundred patients in that asylum, and daily there come, as at the asylum at Stockton, other patients from all parts of the State, who must be admitted and cared for, overcrowded as each asylum is already. It is like requiring that a gallon shall be forced into a half gallon without displacement of any portion. The only remedy or relief, or way out of the difficulty, is the enlargement of the existing asylums or the building of another insane asylum. Your committee suggest and advise that the latter will be the better solution of the difficulty. Another asylum is, in their opinion, imperatively required. As to its location, the committee have nothing to offer. That is a matter for the Legislature to determine. But the committee most strenuously advise and urge that this Legislature shall pass an Act to provide for this pressing public want. It is advised because of the existing exigency; it is recommended on behalf of the unfortunates who are directly involved; it is urged on the ground of economy to the State, and in the interest of all. Your committee therefore recommend that the bill to establish another insane asylum in the State of California—its location to be determined by the Legislature—do pass.

KNIGHT, Chairman.

Mr. Knight moved that seven hundred and twenty copies of the foregoing report of Senate Committee on Hospitals be printed.

So ordered.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 234—Entitled "An Act to amend section one thousand six hundred and sixty-four of the Political Code," relating to public schools—recommend that it do not pass.

Also, Assembly Bill No. 421—Entitled an Act to amend sections one, two, five, and eight, of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create the Hastings College of the Law, in the University of the State of California,' approved March 26, 1878"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JOHNSON, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Assembly Concurrent Resolution No. 13—Relative to homestead settlers on public lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COX, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Concurrent Resolution has been correctly enrolled:

Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

And the same was placed in the hands of the Governor this day, at the hour of four o'clock P. M.

COX, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were referred Senate Bills Nos. 114 and 31—have examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of the State to build and maintain a salmon hatchery, and providing ways and means therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

Mr. Lynch moved that Assembly Bill No. 262 be taken from the Committee on City, City and County, and Town Governments, and refer the same to the Committee on Hospitals.

So ordered.

Consideration of Senate Bill No. 10:

Upon the question, "Shall this bill be engrossed and read a third time?"

The ayes and noes were demanded by Senators Kellogg, Baldwin, and Johnson of San Bernardino.

Roll called, and the bill ordered engrossed and to a third reading by the following vote:

AYES—Messrs. Beauvais, Days, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—22.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Del Valle, Foster, Johnson of Sonoma, Kellogg, Langford, Parker, Reddy, Wallis, and Whitney—15.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Committee on Hospitals: Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

To the file.

By Mr. Knight: Senate Bill No. 283—An Act to amend section seventy-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to interest on unpaid warrants.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Johnson of Sonoma, by request: Senate Bill No. 284—An Act to promote drainage.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also, Senate Bill No. 285—An Act to amend section two thousand

six hundred and eighty-two of the Political Code, relative to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Lowe: Senate Bill No. 286—An Act to amend section three thousand five hundred and seventy-one of the Political Code of California, concerning public lands.

Referred to Committee on Public, Swamp, and Overflowed Lands.

RESOLUTION—(OUT OF ORDER).

By Mr. Lowe, by request:

WHEREAS, Large sums of money are believed to be on deposit in the various savings and loan banks of this State, which said sums have remained unclaimed for a period longer than the statutory time provided when such moneys escheat to the State of California, and are payable into the State Treasury; and whereas, the Bank Commissioners of the State of California have failed in their official reports to furnish full information thereof; therefore, be it

Resolved, That a committee of five be appointed by the President of the Senate to make a full investigation of the moneys on deposit in the various savings and loan banks of this State, which have remained unclaimed beyond the statutory period. That the committee have full power to send for persons and papers, and to employ such experts as may be necessary, and to report to this Senate any Act or Acts that may be necessary to enforce the payment of said sums into the State Treasury.

Referred to Committee on Corporations.

PETITIONS—(OUT OF ORDER).

Mr. Routier presented a petition from members of the Society of Pioneers of California, in Sacramento, urging the passage of Senate Bill No. 194 and Assembly Bill No. 348—"providing for the erection of a suitable memorial commemorative of the discovery of gold in the State of California, and the proper care and support, in old age, of the original discoverer of gold, Mr. James W. Marshall."

Referred to Committee on Finance.

Mr. Langford offered a petition from members of the Society of Pioneers of Amador County, California, containing same subject-matter.

Referred to Committee on Finance.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books.

Read third time.

Mr. Perry moved that Senate Bill No. 31 be recommitted to the author, a committee of one, with special instructions to amend the bill as follows: amend section two, on line two, by striking out the words "and two."

So ordered.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 31, with special instructions to amend, respectfully reports the same back, with amendments, as instructed.

PERRY.

Senate Bill No. 31 ordered re-engrossed and printed.

RESOLUTION—(OUT OF ORDER).

By Mr. Wallis:

WHEREAS, The public press of this State has openly charged that collusion and fraud have been perpetrated in the office of the Secretary of State; and whereas, the State Controller has failed to investigate and report upon such charges, although cognizant that such charges have been made; therefore, be it

Resolved, That a committee of three be appointed by the President of the Senate, with instructions to investigate the books and papers in the office of the Secretary of State, and to report to the Senate whether or not such charges are true.

Mr. Wallis moved the adoption of the resolution.

Mr. Lynch moved to amend, by striking out the second subdivision of the preamble.

Ayes and noes demanded by Senators Lynch, Wallis, and Reddy.

Roll called, and the motion to strike out carried by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Langford, Lynch, Mahler, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, and Steele—20.

NOES—Messrs. Beauvais, Boone, Cross, Hurlburt, Johnson of San Bernardino, Kelly, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Vrooman, Wallis, and Whitney—16.

The question recurring on the adoption of the resolution, as amended, the ayes and noes were demanded by Senators Kellogg, Spencer of Stanislaus, and Chandler.

Roll called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—35.

NOES—Mr. Creighton—1.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 427—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

Mr. Perry moved that substitute for Senate Bill No. 31 be made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

SPECIAL FILE—THIRD READING—(RESUMED).

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson,

Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—36.

NOES—None.

Title read and approved.

Mr. Whitney moved to reconsider the vote whereby Senate Bill No. 138 was refused passage on yesterday.

Lost.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 186—Entitled "An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eight, two thousand and twenty-two, two thousand and twenty-six, two thousand and twenty-eight, two thousand and ninety-three, two thousand and ninety-four, and to repeal section two thousand and twenty-seven of the Political Code," relating to the militia.

Also, Assembly Bill No. 150—Entitled "An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code," relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No. 150 do pass, and that the author of Senate Bill No. 186 be permitted to withdraw said bill, as it contains the same subject-matter.

DRUM, Chairman.

Mr. Lynch asked leave to withdraw Senate Bill No. 186.

So ordered.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Dougherty moved to take up Senate Bill No. 20 out of order.

Ayes and noes demanded on the motion, by Senators Dougherty, Palmieri, and Routier.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—32.

NOES—Messrs. Filcher, Johnson of Sonoma, and Langford—3.

SECOND READING OF BILLS.

Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Section one read second time, and, on motion of Mr. Cross, amended as follows: amend section one of Senate Bill No. 20, so that the same shall read as follows:

SECTION 1. There shall be paid to the County Treasurer of every county, or city and county, in this State, for the use and benefit of the Fireman's Relief Fund of such county, or city and county, on the first Monday of December in each year, by every person who shall act as agent for or on behalf of any corporation not incorporated by or under the laws of this State, but carrying on the business of insurance against loss or injury by fire upon property in this State, a

sum equal to one per centum upon the amount of all premiums, which, during the year, or part of a year, ending on the last preceding first Monday of September, shall have been received by such agent or person, or any other person or agent acting during such period for said individual, or association of individuals, so engaged in said business, or shall have been agreed to be paid to such individual or association, or his or their agents, for any insurance effected, or agreed to be effected, by such individual or association, against loss or injury by fire upon property situate within the limits of such county, or city and county.

Section two read second time, and, on motion of Mr. Cross, this section was stricken out.

Section three read second time, and, on motion of Mr. Cross, this section was stricken out.

Section four read second time, and, on motion of Mr. Cross, amended as follows: section four of said Act shall be hereafter known as section two, and to read as follows:

SEC. 2. The tax provided for by this Act, when paid or collected by the person or officer entitled thereto, shall constitute a fund, to be known and designated as the "Firemen's Relief Fund" of the county, or city and county, in which the property insured, or agreed to be insured, is situated.

Section five read second time, and, on motion of Mr. Cross, amended as follows: amend section five, so that the same may be hereafter known as section three, to read as follows:

SEC. 3. Such fund shall be under the exclusive control of the Fire Commissioners, or other governing body of the fire department, or fire departments, of such county, or city and county, under such regulations as the Board of Supervisors thereof may prescribe.

Sections six and seven read second time.

Section eight read second time, and, on motion of Mr. Cross, amended as follows: amend section eight by adding thereto "but shall not be construed to affect any premiums heretofore collected or paid."

Mr. Cross moved that further consideration of this bill be postponed, and that it retain its place on the file, and the usual number of copies be printed.

So ordered.

PETITION—(OUT OF ORDER).

Mr. Chandler offered a petition from the members of the Marysville Society of California Pioneers, urging the passage of Senate Bill No. 194, and Assembly Bill No. 348, relative to erecting a suitable memorial commemorative of the discovery of gold in California, etc.

Referred to Committee on Finance.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Routier: Senate Bill No. 288—An Act to appropriate the sum of one thousand four hundred and fifty-five dollars and seventy-one cents, with legal interest thereon, to pay amount of claim of Mrs. Annie McNamee, widow of Frank McNamee, deceased, for money, material, and goods furnished M. Miles, as contractor, in building the State Prison at Folsom.

Referred to Committee on Claims.

SPECIAL FILE—SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 211—An Act to establish a branch State Normal School.

Section one read second time, and amendment of the committee as follows, lost: amend by striking out the word "branch" wherever it may occur in this Act.

Hon. Benjamin Knight, President pro tem., in the chair.

Mr. Foster moved to amend, by striking out of section one, line one, the words "County of Shasta," and insert instead the words "northern portion of this State."

Mr. Hurlburt moved to amend the amendment as follows: strike out "County of Shasta" and insert "County of Humboldt."

Ayes and noes demanded on the adoption of the amendment to the amendment, by Senators McClure, Vrooman, and Lowe.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cross, Hurlburt, Johnson of San Bernardino, Knight, Langford, Mahler, McClure, Parker, Perry, Vrooman, and Whitney—11.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Palmeri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, and Wright—27.

Mr. Cross moved to amend the amendment, by striking out the words "County of Shasta," and insert in lieu thereof the words "Red Dog, Nevada County."

Ayes and noes demanded on the adoption of the amendment to the amendment, by Senators Langford, Foster, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Hurlburt, Johnson of San Bernardino, Kelly, Langford, Mahler, McClure, Perry, Vrooman, and Whitney—10.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, Palmeri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, and Wright—28.

The question recurring on the original amendment offered by Mr. Foster.

The ayes and noes were demanded by Senators Foster, Johnson of Sonoma, and Parker.

RESOLUTION—(OUT OF ORDER).

Mr. Taylor offered the following resolution:

WHEREAS, The Committee on Irrigation and Water Rights has reported to the Senate certain bills, with the recommendation that the same be considered in Committee of the whole Senate; therefore,

Resolved, That the Standing Rules of the Senate be amended by adding thereto an additional rule, as follows:

RULE L.—COMMITTEE OF THE WHOLE ON IRRIGATION AND WATER RIGHTS.

Bills referred to the Committee on Irrigation and Water Rights, and by it reported to the Senate, with the recommendation that they be considered in Committee of the Whole, shall be so considered from three o'clock and thirty minutes to five o'clock p. m. of each day, and at said hour of three o'clock and thirty minutes of each day the President shall declare the Senate to be resolved into the Committee of the Whole for such purpose, and the same shall be a special order for each day until all of the said bills are reported to the Senate.

Referred to Committee on Rules.

Mr. Taylor moved that Senate Bill No. 211 be made the special order for to-morrow morning, after the disposal of the special order set for immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At five o'clock and fifteen minutes P. M., on motion of Mr. Spencer of Napa, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 12, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Senator DeLong was granted indefinite leave of absence.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were referred Senate Bills Nos. 10 and 31—have examined the same, and find them correctly engrossed.

FILCHER, Chairman.

SPECIAL ORDERS.

Third reading of Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to textbooks.

Read third time, as amended, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Mr. Cross was excused from voting.

On motion of Mr. Perry, the title was amended as follows: amend the title so that it shall read as follows:

An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 234—Entitled "An Act for the suppression of vagrancy, to be known as the Tramp Act"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Senate Bill No. 236—Entitled an Act to amend section one thousand and eighty-three of an Act to establish a Political Code, approved March 12, 1872, relating to the qualification of voters—have had the same under consideration, and respectfully report the same back, without recommendation.

SAXE, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 189—"An Act to repeal chapter four hundred and twenty-nine of the Political Code, relating to the establishment of a system of irrigation, and to promote rapid drainage and improvement of the navigation of the Sacramento and San Joaquin Rivers"—have had the same under consideration, and respectfully report as follows: This Act has for its object the abolition of the State Engineering Department. This office was created to accomplish certain purposes very clearly set forth in the Act of creation: these purposes were in the nature of investigation of the irrigation and drainage questions. The State Engineer has reported to this Legislature that the objects of the creation of the office will have been accomplished if certain recommendations as to appropriations for closing up the work and publishing results are complied with. He has said to your committee that with these appropriations the work of closing the subject and publication of reports and maps can be effected by the end of the year 1886. Your committee believe that information has been collected by the State Engineer which should be published by the State in order that the people may have the benefit thereof, and thereby be enabled to judge of its usefulness. With this understanding, your committee have reported a substitute for the bill under consideration, to take effect on the last day of December, 1886, and recommend the passage of the substitute.

FRED'K COX.
GEO. E. WHITNEY.
B. F. LANGFORD.
WM. B. PARKER.
C. F. FOSTER.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Concurrent Resolution has been correctly enrolled:

Senate Concurrent Resolution No. 2—Relative to viticultural industries.

COX, Chairman.

SPECIAL ORDER.

Second reading resumed:

Senate Bill No. 211—An Act to establish a branch State Normal School.

Mr. McClure moved that Senate Bill No. 211 be made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

PETITIONS—(OUT OF ORDER).

Mr. Kellogg presented a petition from citizens of Tehama County, protesting against the passage of any bill which forestalls the selection

of a site by the Trustees of the State Normal School for a branch Normal School in the northern part of the State.

Mr. Days presented a petition from residents of the City and County of San Francisco, praying for the adoption of Senate Bill No. 10.

Also, a petition from citizens of the City and County of San Francisco, praying that our Senators and Representatives in Congress be instructed to advocate such measures as will secure to women, in the States of the Federal Union, unrestricted use of the elective franchise.

Referred to Committee on Public Morals.

Also, a petition from citizens of the City and County of San Francisco, praying for an amendment to article two of the Constitution of the State of California, by eliminating the word "male" therefrom.

Referred to Committee on Public Morals.

Mr. Routier presented a petition from the Society of the Native Sons of the Golden West, of Sacramento, indorsing Senate Bill No. 194 and Assembly Bill No. 348, and urging the passage of said bills.

Referred to Committee on Finance.

Mr. Steele presented a copy of resolutions adopted by several church organizations of Santa Paula, and from a temperance mass meeting held at Hueneme, Ventura County, asking "the Legislature to send down an amendment to the State Constitution, to be voted on at a special election next Fall, forever prohibiting the manufacture and sale of intoxicating liquors to be used as a beverage."

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

D. SPENCER, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 91—Entitled "An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand six hundred and fifty-seven, to enable persons claiming to be entitled to any portion of the estate of a deceased person, to prove their claim"—and have adopted a substitute therefor, and do now report the same back to the Senate, and recommend the passage of the substitute.

CROSS, Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: Your Committee on Rules, to whom was referred an amendment to the Standing Rules, by adding thereto Rule L:

RULE L.—COMMITTEE OF THE WHOLE ON IRRIGATION AND WATER RIGHTS.

Bills referred to the Committee on Irrigation and Water Rights, and by it reported to the Senate, with the recommendation that they be considered in Committee of the Whole, shall be

so considered from three o'clock and thirty minutes to five o'clock P. M. of each day, and at said hour of three o'clock and thirty minutes of each day the President shall declare the Senate to be resolved into the Committee of the Whole for such purpose, and the same shall be a special order for each day until all of the said bills have been reported to the Senate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CROSS, Chairman.

Mr. Cross moved the adoption of the resolution.

Mr. McClure moved to amend, by striking out the words "President shall declare," between the words "the" and "Senate," and the words "to be," between the words "Senate" and "resolved," and insert the word "shall" after the word "Senate," and insert the word "itself" after the word "resolved."

Lost.

The question recurring on the adoption of the original resolution.

The ayes and noes were demanded by Senators Filcher, Kellogg, and Whitney.

Pending debate on the question, the hour of recess arrived.

REASSEMBLED.

At two o'clock and ten minutes P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

The President announced the following committees:

Committee to investigate Secretary of State's office—Messrs. Baldwin, Chairman; Cox, and Steele.

Committee to investigate the State Treasurer's office—Messrs. Wallis, Chairman; Del Valle, Foster, Kellogg, and Chandler.

RESOLUTION—(OUT OF ORDER).

Mr. Filcher introduced the following resolution, and asked that it be read for information:

Resolved, That, whereas, the grape growers of Sacramento and adjacent counties are desirous of hearing an address from Charles A. Wetmore, Esq., upon the interests of viticulture, the use of the Senate Chamber is granted for such purpose on Wednesday evening, February 18, 1885.

Mr. Filcher moved the adoption of the resolution.

Objection being made, the ayes and noes were demanded on allowing the resolution to be entertained, by Senators Vrooman, Johnson of San Bernardino, and Drum.

Roll called, and the Senate refused to entertain the resolution by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Del Valle, Dougherty, Filcher, Foster, Johnson of Sonoma, Kelly, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Napa, and Wallis—17.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cross, Days, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Parkinson, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—19.

CONSIDERATION ON ADOPTION OF RULE L.

Mr. Cox offered the following amendment to the resolution: amend by adding to the end of the resolution the following: "This rule shall take effect from and after Monday, February 16, 1885."

Ayes and noes demanded on the adoption of the amendment, by Senators Cox, Taylor, and Drum.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Hurlburt, Knight, Langford, Lowe, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Wallis, and Whitney—23.

NOES—Messrs. Days, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Parkinson, Reddy, Spencer of Stanislaus, and Vrooman—14.

The question being upon the adoption of the resolution, the ayes and noes were demanded by Senators Kellogg, Vrooman, and Reddy.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Johnson of San Bernardino, Langford, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—25.

NOES—Messrs. Boone, Chandler, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, and Saxe—12.

Mr. Steele asked leave to introduce a bill out of order.

Objection being made, leave was granted on a division of the Senate—ayes, 23; noes, 2.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Steele: Senate Bill No. 288—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Referred to Committee on Counties, County Governments, and Township Organization.

Mr. Saxe asked leave to introduce a bill out of order.

Objection being made, the ayes and noes were demanded by Senators Taylor, Kellogg, and Drum.

Roll called, and leave granted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Del Valle, Dougherty, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, and Whitney—29.

NOES—Messrs. Boone, Drum, Filcher, Hurlburt, McClure, and Vrooman—6.

By Mr. Saxe: Senate Bill No. 289—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on Hospitals.

LEAVE OF ABSENCE.

One day's leave of absence was granted to the Committee on Military Affairs, to Committee on Hospitals, and to Committee on Public Buildings.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Sections one and two read second time.

Section three read second time.

Mr. Hurlburt offered the following amendment to section three: amend section three by striking out the words "within the City and County of San Francisco," and insert "by the Board of Directors."

Hon. Benjamin Knight, President pro tem., in the chair.

After debate, the amendment was withdrawn.

Mr. Langford offered the following substitute:

Resolved, That the State Board of Health of the State of California be and are hereby directed to ascertain the number and condition of the indigent blind of the State, and report to the next Legislature as to the necessity and expediency of the establishment of a State Asylum for their care and maintenance.

Mr. Reddy raised the point of order, that the resolution was not germane to the bill.

The President pro tem. sustained the point of order.

Mr. Langford appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

The Chair was sustained.

Mr. Boone moved to amend article three, section seven, line five, as follows: strike out the words "State Printer," after the word "the," and insert in lieu thereof the words "Superintendent of State Printing."

Adopted.

Mr. Lowe offered the following amendment: amend section three, by striking out the words "City and County of San Francisco," and inserting "within the State of California, at such place as may be selected by the Board of Directors."

Ayes and noes demanded on the adoption of the amendment, by Senators Taylor, Spencer of Napa, and Lynch.

Roll called, with the following result:

AYES—Messrs. Baldwin, Chandler, Del Valle, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, McClure, Parker, Spencer of Napa, Spencer of Stanislaus, Steele, Whitney, and Wright—18.

NOES—Messrs. Beauvais, Boone, Cox, Creighton, Days, Dougherty, Drum, Filcher, Kelly, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Taylor, and Vrooman—18.

Whereupon the President announced that the vote was a tie, and that he would exercise his constitutional right of casting the deciding vote, by ordering the Secretary to record his vote "no."

So ordered, and the amendment lost.

Mr. Langford moved to strike out the enacting clause.

Mr. Knight moved to take up, out of order, Assembly Bill No. 427.

So ordered.

FIRST READING.

Assembly Bill No. 427—An Act to provide for a Contingent Fund for the twenty-sixth session of the Legislature.

Read first time.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 427 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—33.

NOES—None.

Mr. Knight moved that the rules be suspended, and this bill be read a second time.

Carried.

Assembly Bill No. 427 read second time.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 427 be declared a case of urgency, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—34.

NOES—None.

Assembly Bill No. 427 read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—33.

NOES—None.

Title read and approved.

On motion of Mr. Cross, Senate Bill No. 20 was ordered engrossed, and placed on file for third reading.

ADJOURNMENT.

At four o'clock and thirty-six minutes P. M., on motion of Mr. Baldwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 13, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight,

Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Kellogg, further reading was dispensed with, and the Journal approved.

LEAVE OF ABSENCE.

Mr. Cross was granted indefinite leave of absence.

RESOLUTION—(OUT OF ORDER).

By Mr. Wallis:

Resolved. That the committees appointed to inquire into the alleged defalcations in the State Treasury, and to investigate the books and papers in the office of the Secretary of State, be and they are hereby authorized to employ a clerk for each of said committees; and, if the said committees deem it necessary, that they be also authorized to employ a stenographer.

Mr. Wallis moved the adoption of the resolution.

Adopted.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Boone: Senate Concurrent Resolution No. 20:

Be it resolved by the Senate, the Assembly concurring. That our Senators be instructed and our Representatives in Congress be requested to use their best efforts to secure a sufficient appropriation from Congress to increase the defensive character of the fortifications commanding the entrance to the Bay of San Francisco, so that the entrance to that port shall be properly guarded from the invasion of hostile vessels.

Referred to Committee on Federal Relations.

SPECIAL ORDER—SECOND READING OF BILLS.

Senate Bill No. 211—An Act to establish a branch State Normal School.

Mr. Lynch moved that Senate Bill No. 211 be made the special order for to-morrow morning, immediately after reading the Journal.

Ayes and noes demanded on the motion, by Senators Foster, Johnson of Sonoma, and Parker.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, Del Valle, Kelly, Lowe, Lynch, Mahler, McClure, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, and Whitney—19.

NOES—Messrs. Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Palmieri, Parker, Parkinson, Perry, Saxe, Spencer of Stanislaus, and Wallis—14.

CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. Steele asked leave to introduce a concurrent resolution out of order, and read for information.

So ordered.

By Mr. Steele: Concurrent Resolution No. —:

Resolved, the Senate and Assembly of the State of California concurring. That a committee of three be appointed by the Senate, and three by the Assembly, to be known and designated as

the "Joint Committee" on bills; whose duty it shall be to select from the bills introduced in the Senate and Assembly those treating upon the most important matters of legislation. The bills selected by said committee shall be placed on the special and general files of the Senate and Assembly respectively, and shall take precedence on the file until considered and disposed of by the Senate and Assembly respectively.

The said committee shall commence its work immediately, and report as soon as possible.

Mr. Kellogg moved the adoption of the resolution.
Lost.

PETITIONS.

Mr. Days presented a petition from residents of the City and County of San Francisco, praying for an amendment to article two of the Constitution of the State of California, by eliminating the word "male" therefrom, wherever it occurs therein; and also the adoption by Congress of an amendment to the Constitution of the United States, conferring upon woman, in all the States of the Federal Union, the same unrestricted use of the elective franchise.

Referred to Committee on Public Morals.

Also, a petition from residents of the City and County of San Francisco, praying for the passage of Senate Bill No. 10.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 20—have examined the same, and find it correctly engrossed.

FILCHER, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments have had under consideration Senate Bill No. 123—To provide for payment for private property heretofore taken for public use—and report the same back, and recommend that it do pass.

Also, Assembly Bill No. 63—To provide for the transfer of certain lands from the State to municipal corporations—and recommend that it do not pass.

Also, Assembly Bill No. 64—To allow municipal corporations to establish a system of sewage—and recommend that it do pass.

Also, Assembly Bill No. 115—To amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—and recommend that it do pass.

Also, Senate Bill No. 134—To provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof—and recommend that it do pass.

G. A. JOHNSON, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 42—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California—have had the same under consideration, and respectfully report the same back, without recommendation.

KNIGHT, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., February 12, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have this day appointed the following Directors of the Insane Asylum at Stockton:

H. N. Rucker, of Merced County, for the term of four years, vice Lewis M. Cutting, term expired; J. D. McDougald, of San Joaquin County, for the term of four years, vice Donald McLennan, term expired.

And I respectfully ask the consent of the Senate to the same.

Very respectfully, etc.,

GEORGE STONEMAN, Governor.

Mr. Lynch moved to consider the nominations made in the message of Governor Stoneman.

So ordered.

List of appointments read and considered in their order, as follows:

Upon the question, "Will the Senate advise and consent to the appointment of H. N. Rucker, of Merced County, as Director of the State Asylum for the Insane at Stockton, for the term of four years, vice Lewis M. Cutting, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—32.

NOES—None.

Whereupon, the President announced the appointment of H. N. Rucker as Director of the State Asylum for the Insane at Stockton, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of J. D. McDougald, of San Joaquin County, as Director of the State Asylum for the Insane at Stockton, for the term of four years, vice Donald McLennan, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, and Whitney—32.

NOES—None.

Whereupon the President announced the appointment of J. D. McDougald as Director of the State Asylum for the Insane at Stockton, duly confirmed.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Mr. Lynch moved to substitute on the file Assembly Bill No. 36 for Senate Bill No. 198.

So ordered.

Mr. Lynch asked leave to withdraw Senate Bill No. 198.

So ordered.

Also, Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on Counties, County Governments, and Township Organization.

Also, Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also, Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Corporations.

FRANK D. RYAN, Chief Clerk.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Referred to Committee on Corporations.

Also, Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Referred to Committee on Labor and Capital.

Also, Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Referred to Committee on Judiciary.

Also, Senate Concurrent Resolution No. 5—Relating to the reformation of youthful criminals, and to properly care for discharged prisoners—have amended the same, and adopted the same as amended, as follows: amend by adding "except such expenses as may be incurred in the employment of a Secretary."

The Senate concurred in the amendment.

Referred to Committee on Enrollment.

Also, Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Referred to Committee on Enrollment.

FRANK D. RYAN, Chief Clerk.
By C. S. LONG, Assistant Clerk.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Cox: Senate Bill No. 290—An Act to amend sections three thousand seven hundred and thirty-one, three thousand eight hundred and forty, three thousand eight hundred and forty-five, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two of an Act entitled "An Act to establish a Political Code," relative to the collection of poll taxes.

Referred to Committee on Finance.

By Mr. McClure: Senate Bill No. 291—An Act to amend section two thousand three hundred and forty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public ways and navigable streams.

Referred to Committee on Commerce and Navigation.

By Mr. Baldwin: Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Referred to Committee on Finance.

By Mr. Routier, by request: Senate Bill No. 293—An Act to appropriate money to pay the claims of William Gutenberger, for mechanics' tools and property destroyed at the branch State Prison at Folsom.

Referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 95—Entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts, in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon public lands, approved March 2, 1867,' approved March 30, 1868"—and have adopted a substitute therefor, and do now report the same back to the Senate, and recommend the passage of the substitute.

Also, Senate Bill No. 102—Entitled "An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to undertakings on attachments in civil cases"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 103—Entitled "An Act to amend section four hundred and eighty-two of the Code of Civil Procedure of the State of California, relating to undertakings on arrest and bail in civil actions"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 106—Entitled "An Act to amend section three thousand eight hundred and twenty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 107—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, by adding a new section thereto, to be known as section one thousand and fifty-six, and to amend section one thousand and fifty-seven of said Act, relating to sureties on undertakings and bonds"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 108—Entitled "An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 109—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, by adding thereto a new section, to be known as section five hundred and ninety-three"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 121—Entitled "An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 122—Entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 96—Entitled "An Act adding a new section to an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, to be and become section three hundred and ninety thereof, relating to parties to actions and proceedings, especially the

representative capacity of administrators, executors, and guardians, as parties"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 241—Entitled "An Act to provide for the commitment of persons convicted of crime to the House of Correction"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 205—Entitled "An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in relation to appeals to Superior Courts"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 206—Entitled "An Act to amend section nine hundred and sixty-four of the Code of Civil Procedure, in relation to appeals to Superior Courts"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 153—Entitled "An Act to amend section eight hundred and thirty-two of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to place of trial of actions in Justices' Courts"—and do now report the same back to the Senate, and recommend that it do pass.

McCLURE, Acting Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 216—An Act entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, in relation to the powers and duties of Boards of Supervisors, and highway officers and highways, to be numbered two thousand six hundred and fifty-six"—have had the same under consideration, and report the same back, and recommend that it do pass.

And we respectfully beg leave to further report that we have had under consideration Senate Bill No. 61—Entitled "An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways"—and now report the same back, without recommendation.

LANGFORD, Chairman.

SPECIAL FILE—SECOND READING.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

The question being on the motion of Mr. Langford to strike out the enacting clause.

Pending debate, the hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Lynch: Senate Bill No. 294—An Act to appropriate money to meet the contingent expenses of the Senate for the twenty-sixth session.

Mr. Lynch moved to take up, out of order, Senate Bill No. 294.
So ordered.

‘ FIRST READING.

Senate Bill No. 294—An Act appropriating money to meet the contingent expenses of the Senate for the twenty-sixth session.

On motion of Mr. Lynch, the rules were suspended, and this bill read first time.

Mr. Lynch moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Senate Bill No. 294 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—30.

NOES—Mr. Taylor—1.

Mr. Lynch moved that the rules be suspended, and this bill be read a second time.

Carried.

Senate Bill No. 294 read second time.

Mr. Lynch moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Senate Bill No. 294 be declared a case of urgency, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Whitney—31.

NOES—Messrs. McClure and Taylor—2.

Senate Bill No. 294 read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Whitney—32.

NOES—Messrs. McClure and Taylor—2.

On motion of Mr. Lynch, the title was amended as follows: after the word Senate, add the words “ for the twenty-sixth session.”

Title read and approved.

Consideration of Assembly Bill No. 12.

The question being on the motion of Mr. Langford, to strike out the enacting clause.

Pending debate on the above question, Mr. Filcher moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 294—An Act to appropriate money to meet the contingent expenses of the Senate for the twenty-sixth session.

FRANK D. RYAN, Chief Clerk.

Referred to Committee on Enrollment.

Consideration of the motion of Mr. Langford, to strike out the enacting clause of Assembly Bill No. 12, resumed.

Ayes and noes demanded on the motion, by Senators Routier, Langford, and Drum.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Johnson of San Bernardino, Kellogg, McClure, Parker, Steele, and Whitney—8.

NOES—Messrs. Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Mahler, Palmieri, Perry, Reddy, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—20.

Mr. Filcher was paired with Mr. Baldwin. Mr. Filcher would have voted no; Mr. Baldwin would have voted aye.

Mr. Langford was paired with Mr. Lowe. Mr. Langford would have voted aye; Mr. Lowe would have voted no.

Mr. Spencer of Napa was paired with Mr. Parkinson. Mr. Spencer of Napa would have voted aye; Mr. Parkinson would have voted no.

Mr. Routier was paired with Mr. Knight. Mr. Knight would have voted aye; Mr. Routier would have voted no.

Mr. Langford offered the following amendment: in line one, section one, strike out the word "eighty" and insert "ten" in lieu thereof.

Lost.

Mr. Cox offered the following amendment: in line one, section one, strike out the word "eighty" and insert the word "twenty" in lieu thereof.

Ayes and noes demanded on the adoption of the amendment, by Senators Langford, Cox, and Whitney.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Johnson of San Bernardino, Kellogg, McClure, Parker, Steele, and Whitney—9.

NOES—Messrs. Chandler, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Mahler, Palmieri, Perry, Reddy, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—19.

Mr. Filcher was paired with Mr. Baldwin.

Mr. Langford was paired with Mr. Lowe.

Mr. Spencer of Napa was paired with Mr. Parkinson.

Mr. Routier was paired with Mr. Knight.

Mr. Reddy moved to strike out, on line one, section one, the word "eighty," and insert in lieu thereof the word "fifty."

Mr. Spencer of Stanislaus moved to amend the amendment, on line one, section one, by striking out the word "eighty," and insert in lieu thereof the word "forty."

Ayes and noes demanded on the adoption of the amendment to the amendment, by Senators Steele, Kellogg, and Drum.

Roll called, and the amendment to the amendment adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Mahler, McClure, Parker, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—16.

NOES—Messrs. Creighton, Days, Del Valle, Dougherty, Drum, Hurlburt, Lynch, Palmieri, Perry, Reddy, Routier, Taylor, Vrooman, and Wallis—14.

Mr. Filcher was paired with Mr. Baldwin.

Mr. Langford was paired with Mr. Lowe.

Mr. McClure moved to indefinitely postpone Assembly Bill No. 12.

Mr. Del Valle moved to postpone further consideration of this bill, and that it be made the special order for to-morrow morning, immediately after the special order already set.

So ordered.

LEAVE OF ABSENCE.

Senators Parkinson and Saxe were granted leave of absence until Monday, February 16, 1885.

Senators Spencer of Stanislaus and Johnson of Sonoma were granted leave of absence for Monday and Tuesday next.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 269—Entitled "An Act to amend section three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the redemption of lands sold at tax sales"—and do now report the same back to the Senate with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 270—Entitled "An Act to amend section three thousand seven hundred and eighty of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the redemption of lands sold at tax sales"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 169—Entitled "An Act to amend section three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the redemption of lands sold at tax sale"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 130—Entitled "An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 159—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' and for the purpose of determining the heirship and title to the estates of deceased persons"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 129—Entitled "An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 136—Entitled "An Act to amend chapter five, of part one, of the Code of Civil Procedure, and each and every article and section thereof, and substituting a new chapter five, to take the place thereof in said Code, relating to Justices' Courts"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 143—Entitled "An Act to add a new section to the Political Code, to be known as section two thousand two hundred and twenty-three, concerning preservation of testimony taken upon the examination of persons alleged to be insane"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 49—Entitled "An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and procedure in summary proceedings for obtaining possession of real property in certain cases"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 47—Entitled "An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleadings, and to procedure in forcible entry and forcible and unlawful detainer actions"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 32—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof, upon an official bond"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 57—Entitled "An Act to amend section one thousand three hundred and twenty-two of an Act entitled 'An Act to establish a Penal Code,' approved February 14,

1872, relating to the competency of a wife or husband to be a witness in certain cases"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Assembly Bill No. 58—Entitled "An Act to amend section one thousand eight hundred and eighty-one of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to relations which disqualify certain persons from being witnesses in certain cases"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Assembly Bill No. 110—Entitled "An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 111—Entitled "An Act to amend section three hundred and thirty of an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, to prohibit gaming"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

McCLURE, Acting Chairman.

Report of Judiciary Committee partially read, and, on motion of Mr. Vrooman, further reading was dispensed with.

ADJOURNMENT.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Del Valle, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 14, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, and Whitney.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading was dispensed with, and the Journal approved.

Mr. Taylor moved that the two special orders set for to-day be postponed until Tuesday next, immediately after reading the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 281—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, with legal interest thereon, to pay the amount found by the Sixth Judicial District Court to be due M. Miles and his sureties for work done under contract in building the State Prison at Folsom—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 294—Entitled "An Act to appropriate money to meet the contingent expenses of the Senate for its twenty-sixth session."

And the same has this day been placed in the hands of the Governor for his approval.

COX, Chairman.

RESOLUTION.

Mr. Lynch offered the following:

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Military Affairs recommend the adoption of the following resolution, the amount contained being the same due for mileage while your committee was in the service of the State:

Resolved, That the sum of nineteen dollars and sixty cents is hereby allowed for mileage due the members of the Committee on Military Affairs, and the Controller of State is hereby directed to draw his warrant on the Treasurer for said sum in favor of E. F. Drum, Chairman of the committee.

DRUM, Chairman.

On motion of Mr. Lynch, the resolution was adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 14, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 294—An Act appropriating money to meet the contingent expenses of the Senate for its twenty-sixth session.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Constitutional Amendment No. 2—Relative to revenue and taxation.

Also, adopted Assembly Concurrent Resolution No. 14—Relative to the adulteration of food.

Also, Assembly Concurrent Resolution No. 16—Relative to a system of defenses on the Pacific Coast.

Also, Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Also, Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also, Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same.

Also, Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also, Senate Bill No. 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

Also, adopted Assembly Joint Resolution No. 1—Relative to authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer.

FRANK D. RYAN, Chief Clerk.

Assembly Concurrent Resolution No. 14 referred to Committee on Hospitals.

Assembly Concurrent Resolution No. 16 referred to Committee on Federal Relations.

Assembly Bill No. 89 referred to Committee on Education.

Assembly Bill No. 61 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 403 referred to Committee on Education.

Assembly Bill No. 221 referred to Committee on Claims.

Senate Bill No. 17 referred to Committee on Enrollment.

Assembly Joint Resolution No. 1 referred to Committee on Finance.

Mr. Lynch moved that the resolution offered by him, and adopted, be returned to him for correction.

So ordered.

INTRODUCTION OF A BILL.

The following bill was introduced, read by title, and referred to committee:

By Mr. Taylor: Senate Bill No. 295—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claims of C. C. Rachford, Sheriff of Modoc County.

Referred to Committee on Claims.

SPECIAL FILE—SECOND READING.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

On motion of Mr. Boone, section one was amended as follows: strike out, on line four, the words "through unforeseen and unavoidable event and accident not possible to have been guarded against."

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 48—An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Hurlburt, Perry, and Steele.

Roll called, and the bill ordered read the second time by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Del Valle, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Mahler, Parker, Perry, Reddy, Steele, and Vrooman—15.

NOES—Messrs. Boone, Days, Dougherty, Lynch, Palmieri, Routier, and Spencer of Napa—7.

Mr. Steele offered the following amendment: amend section one, in line three, by striking out the word "general," before "election," and insert "special," and at the end of line four, strike out the word "six," and insert "five."

CALL OF THE SENATE.

Mr. Routier moved a call of the Senate.

So ordered.

LEAVE OF ABSENCE.

One day's leave of absence was granted to the following Senators: Lowe, Filcher, Creighton, Wallis, and Baldwin.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Spencer of Napa, Steele, Vrooman, and Whitney.

Mr. Reddy moved that further proceedings under the call of the Senate be dispensed with.

Lost.

The Sergeant-at-Arms was given a list of absent Senators not excused.

Mr. Kellogg moved that further proceedings under the call of the Senate be dispensed with.

Lost.

Pending a call of the Senate, the hour of recess arrived, whereupon the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Days, Del Valle, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Palmeri, Parker, Perry, Reddy, Routier, Steele, Taylor, Vrooman, Wallis, and Whitney.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSON, Chairman.

Mr. Johnson of Sonoma moved that Senate Bill No. 247 and Senate Bill No. 79 be placed on special file.

So ordered.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Whitney: Senate Bill No. 295—An Act to provide for a State Board of Charities.

Referred to Committee on Hospitals.

ADJOURNMENT.

At two o'clock and five minutes P. M., on motion of Mr. Perry, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 16, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

Hon. Benjamin Knight, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday, February 14, 1885, read and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 157—Entitled "An Act to amend section one thousand and ninety-seven of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 152—Entitled "An Act to amend sections one thousand and sixty-five and one thousand and sixty-nine of the Code of Civil Procedure, relating to the administration of estates"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 160—Entitled "An Act to amend sections five hundred and seventy-seven and six hundred and seventy of the Code of Civil Procedure of the State of California, relating to judgments and judgment rolls in civil cases"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 99—Entitled "An Act to amend section one thousand three hundred and twenty-nine of the Penal Code, relating to expenses of witnesses"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 127—Entitled "An Act to amend sections three thousand eight hundred and thirty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and forty-three, three thousand eight hundred and forty-five, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to add two new sections thereto, to be known as sections three thousand eight hundred and sixty-three and three thousand eight hundred and sixty-four, all relating to revenue and poll taxes"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 179—Entitled "An Act to amend section nine hundred and twenty-eight of an Act entitled 'An Act to establish a Penal Code,' approved April 16, 1880, relative to Grand Juries"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 183—Entitled "An Act to amend section two thousand nine hundred and sixty-nine of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to immigration"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Assembly Bill No. 85—Entitled "An Act to facilitate the giving of bonds required by law"—and do now report the same back to the Senate, and recommend that it be substituted on the file for Senate Bill No. 107, and that it do pass.

McCLURE, Acting Chairman.

Mr. Kellogg moved to substitute on the file Assembly Bill No. 85 for Senate Bill No. 107.

So ordered.

Mr. Kellogg asked leave to withdraw Senate Bill No. 107.

So ordered.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 118—have examined the same, and find it correctly engrossed.

FILCHER, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Concurrent Resolutions have been correctly enrolled:

Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Also, Senate Concurrent Resolution No. 5—Relative to directing the Governor to appoint a committee of five citizens to inquire into the subject of penology, as applicable to the condition of prison affairs within this State.

And that the same have this day been placed in the hands of the Governor for his approval.

COX, Chairman.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize fighting.

Also, Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Also, Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-second fiscal year.

Also, Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Also, Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry, in the State of California.

Also, Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Also, adopted Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory.

Also, Assembly Concurrent Resolution No. 18—Relative to furnishing certain books to institutions.

FRANK D. RYAN, Chief Clerk.

Assembly Bill No. 42 referred to Committee on Judiciary.

Assembly Bills No. 123, 161, 199, 201, and 202 referred to Committee on Finance.

Assembly Bill No. 67 referred to Committee on Hospitals.

Assembly Bill No. 255 referred to Committee on Agriculture.

Senate Concurrent Resolution No. 16 referred to Committee on Enrollment.

Assembly Concurrent Resolution No. 18 referred to Committee on Education.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Whitney, by request: Senate Bill No. 297—An Act to authorize the Boards of Supervisors of the counties in which water is sold for irrigation to fix the rates at which water shall be sold, to prevent improper limitations concerning the distribution of water to stockholders, and to provide a penalty for the violation of the provisions of this Act by any person, company, or corporation.

To the file.

By Mr. Saxe: Senate Bill No. 298—An Act concerning the residences of Notaries Public.

Referred to Committee on Judiciary.

By Mr. Boone: Senate Bill No. 299—An Act to amend section eight hundred and forty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the service of summons in Justices' Courts.

Referred to Committee on Judiciary.

By Mr. McClure: Senate Bill No. 300—An Act to amend sections one thousand two hundred and thirty-eight, one thousand two hundred and forty, and one thousand two hundred and forty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the exercise of the rights of eminent domain.

Referred to Committee on Irrigation.

RESOLUTION—(OUT OF ORDER).

Mr. Creighton asked leave to introduce a resolution, out of order, and have it read for information.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

WHEREAS, We believe it is for the general good and welfare of the State that the laboring classes should receive sufficient remuneration for their labors to bring within their reach the comforts and necessities of life, which all classes should enjoy; and, that every reduction in the wages of labor tends to further depress the condition of trade; therefore, be it

Resolved by the Senate of the State of California, in session this day, That we do hereby tender to the iron workers of San Francisco our heartfelt sympathy in their efforts to resist the downward course of wages, with its dangerous and degrading effects.

Mr. Creighton moved the adoption of the resolution.

Mr. McClure moved to amend, by referring to Committee on Capital and Labor.

Ayes and noes demanded on the motion to refer, by Senators Rou-tier, Lynch, and Creighton.

Roll called, and the motion to refer lost by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Del Valle, Johnson of San Bernardino, Kellogg, Knight, McClure, Parker, Steele, Vrooman, Wallis, Whitney, and Wright—15.

NOES—Messrs. Beauvais, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, and Spencer of Napa—17.

Mr. Whitney moved to have the resolution printed, and have the same made the special order for to-morrow, immediately after recess.

Lost.

Mr. Whitney moved to strike out the preamble to the resolution.

Mr. Kellogg offered an amendment to the amendment, as follows:

Resolved, That this Senate hereby extend its fullest sympathy to the iron workers of San Francisco, who are now upon a strike against a reduction of the rate of their wages by their employers, and also extends its sympathy to all deserving laborers in the State who are out of employment.

Lost.

Upon the question, "Shall the preamble stand?"

The ayes and noes were demanded by Senators Lynch, Creighton, and Drum.

Roll called, and the Senate refused to strike out by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, and Wright—24.

NOES—Messrs. Boone, Kellogg, Knight, Parker, Vrooman, Wallis, and Whitney—7.

Mr. Kellogg moved that the special order be taken up.

Mr. Perry moved that the special order be deferred until after consideration of the resolution offered by Mr. Creighton.

Ayes and noes demanded by Senators Vrooman, Whitney, and Drum.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Beauvais, Chandler, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Wallis, and Wright—24.

NOES—Messrs. Boone, Kellogg, Knight, Parker, Vrooman, and Whitney—6.

The question recurring on the motion to adopt the resolution, the same was adopted.

PETITIONS.

Mr. Chandler presented a petition from residents of Placer County, California, relating to fencing of large tracts of land, and closing of highways.

Referred to Committee on Roads and Highways.

Mr. Reddy presented a petition from citizens and land owners of the County of Fresno, representing that they are satisfied with the bills pending before this body on irrigation.

Mr. Foster presented a petition from voters of Tehama County, praying that the laws of our State prohibiting the furnishing of intoxicating drinks to Indians, minors, and habitual drunkards, be so amended that any licensed liquor dealers furnishing such drinks to such persons shall thereby forfeit their licenses.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

Read third time, and passed by the following vote:

AYES—Messrs. Chandler, Cox, Creighton, Days, DeLong, Dougherty, Foster, Johnson of San Bernardino, Kellogg, Knight, McClure, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—23.

NOES—Messrs. Baldwin, Hurlburt, Lynch, Mahler, and Wallis—5.

Title read and approved.

Mr. Filcher was paired with Mr. Palmieri. Mr. Filcher would have voted "no;" Mr. Palmieri would have voted "aye."

SECOND READING OF BILLS.

Senate Bill No. 48—An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors.

Read second time.

The question being on the adoption of the amendment offered by Mr. Steele, as follows: amend section one, in line three, by striking out the word "general," before "election," and insert "special," and at the end of line four, strike out the word "six," and insert "five"—the same was lost.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Steele, Days, and Creighton.

Roll called, and the bill refused engrossment and third reading by the following vote:

AYES—Messrs. Chandler, Hurlburt, Johnson of San Bernardino, McClure, Saxe, Steele, Vrooman, Wallis, and Wright—9.

NOES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Kellogg, Knight, Lynch, Mahler, Parker, Parkinson, Reddy, Routier, Spencer of Napa, and Taylor—22.

FIRST READING OF BILLS.

Senate Bill No. 52—An Act to provide for the erection of buildings for the custody of insane criminals and persons charged with crime, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read first time, and placed on file for second reading.

Mr. Routier asked leave to withdraw Senate Bill No. 171.

So ordered.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 42—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

On motion of Mr. Reddy, this bill was passed on file.

Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same.

Read first time, and placed on file for second reading.

Mr. McClure moved that Assembly Bill No. 403 be substituted for Senate Bill No. 211 on the file.

So ordered.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read first time, and placed on file for second reading.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hun-

dred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand seven hundred and fifty-nine of the Political Code, and to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

One day's leave of absence was granted Senator Lowe.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 28—An Act to amend section three thousand five hundred and seventy-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State.

Mr. Steele moved that Senate Bill No. 28 be referred to the author, with instructions to amend the bill, by adding after the word "made," on line eleven, page one, printed bill, the following words: *provided*, that certificates for lands patented by the State shall only be for the amount of the purchase money paid the United States for said lands in obtaining its patent.

Lost.

Read third time, and passage refused by the following vote:

AYES—Mr. Johnson of San Bernardino—1.

NOES—Messrs. Baltwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Knight, Langford, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—29.

Senate Bill No. 27—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry, in the State of California.

On motion of Mr. Lynch, this bill was passed on file.

Senate Bill No. 10—An Act to amend sections one thousand four hundred and one and one thousand four hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property.

On motion of Mr. Days, this bill was referred to the author, with special instructions to amend as follows: amend section one, by inserting after the word "property," line four of the printed bill, the following words: "not exceeding in value the sum of six thousand dollars;" also amend, by striking out section two, and inserting the following in lieu thereof:

SEC. 2. Section fourteen hundred and two of the said Code is hereby amended so as to read as follows:

1402. If, upon the dissolution of the community by the death of either party thereto, there are children of the marriage living, and the surviving husband or wife again marries, then, upon said marriage, one half of said community property goes to the children of the said first community or to their heirs at law. In no event shall a surviving spouse have the right of testamentary disposition over more than one half of any community property received under the provisions of this Code. But upon the death of such surviving spouse, one half of all community property, by him or her received, shall pass absolutely to the children of said community, or to their heirs at law.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 17—Entitled "An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled 'An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof,' approved March 13, 1883.

And is now in the hands of the Governor.

COX, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 67—Entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry, in the State of California"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Kellogg, Knight, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Wallis, and Wright—28.

NOES—Messrs. Filcher, Hurlburt, Langford, and Parker—4.

Title read and approved.

Mr. Whitney was paired with Mr. Palmieri. Mr. Whitney would have voted "no;" Mr. Palmieri would have voted "aye."

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Spencer of Napa moved that Assembly Bill No. 13 be taken up out of order.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County.

Read first time, and placed on file for second reading.

Mr. Hurlburt moved to take up and consider Assembly Bill No. 22, out of order.

So ordered.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Read first time, and placed on file for second reading.

Mr. Baldwin moved to take up and consider Senate Bill No. 74, out of order.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 74—An Act entitled "An Act to provide for the further management of the State asylums for the insane."

Section one read, and, on motion of Mr. Baldwin, was amended as follows: strike out, on line thirty-eight, printed bill, after the word "State," the words "coming into the hands of," and insert in lieu thereof the words "received by."

Mr. Baldwin moved to amend, by inserting the following enacting clause:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Adopted.

Bill read second time, ordered engrossed, and placed on file for third reading.

Mr. Saxe moved to take up and consider Senate Bill No. 47, out of order.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Read first time, and placed on file for second reading.

Mr. Whitney moved to take up and consider Senate Bill No. 134, out of order.

So ordered.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Read first time, and placed on file for second reading.

Mr. Spencer of Napa moved to reconsider the vote whereby the title of Senate Bill No. 20 was approved.

Carried.

Mr. Spencer of Napa moved to amend the title so as to read as follows:

An Act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Carried.

Title read and approved.

Mr. Lynch moved to take up and consider Assembly Bill No. 150, out of order.

So ordered.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four, of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Read first time, and placed on file for second reading.

Mr. Langford moved to take up and consider Senate Bill No. 232 out of order.

So ordered.

Senate Bill No. 232—An Act to provide for including within any reclamation district in this State certain lands requiring protection from overflow, and which may be protected by the same system of works as shall be required for the protection of the lands originally embraced within said district.

Read first time, and placed on file for second reading.

Mr. Days moved to take up and consider Senate Bill No. 241, out of order.

So ordered.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read first time, and placed on file for second reading.

Mr. Filcher moved to take up and consider Senate Bill No. 216, out of order.

So ordered.

Senate Bill No. 216—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, in relation to the powers and duties of Boards of Supervisors, and highway officers, and highways, to be numbered two thousand six hundred and fifty-six, and to read as follows.

Read first time, and placed on file for second reading.

Mr. McClure moved to take up and consider Senate Bill No. 176, out of order.

So ordered.

Senate Bill No. 176—An Act concerning municipal corporations.

Read first time, and placed on file for second reading.

Mr. Boone moved to take up and consider Senate Bill No. 71, out of order.

So ordered.

Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Read first time, and placed on file for second reading.

Mr. Reddy moved to take up and consider Senate Bill No. 63, out of order.

So ordered.

Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872.

Read first time, and placed on file for second reading.

Mr. Kellogg moved to take up and consider Senate Bill No. 108, out of order.

So ordered.

Senate Bill No. 108—An Act to amend section nine hundred and

thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read first time, and placed on file for second reading.

Mr. Wright moved to take up and consider Senate Bill No. 106, out of order.

So ordered.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of collection of taxes, by the Assessor, on certain personal property.

Read first time, and placed on file for second reading.

Mr. Del Valle moved to take up and consider Senate Bill No. 154, out of order.

So ordered.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and placed on file for second reading.

Mr. DeLong moved to take up and consider Assembly Bill No. 222, out of order.

So ordered.

Assembly Bill No. 222—An Act to amend an Act approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read first time, and placed on file for second reading.

Mr. Mahler moved to take up and consider Senate Bill No. 95, out of order.

So ordered.

Senate Bill No. 95—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in the State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Read first time, and placed on file for second reading.

Mr. Vrooman moved to take up and consider Senate Bill No. 269, out of order.

So ordered.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read first time, and placed on file for second reading.

Mr. Vrooman moved to take up and consider Senate Bill No. 270, out of order.

So ordered.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read first time, and placed on file for second reading.

Mr. Johnson of Sonoma moved to take up and consider Senate Bill No. 168, out of order.

So ordered.

Senate Bill No. 168—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery, and blank books, and county advertising.

Read first time, and placed on file for second reading.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Langford: Senate Concurrent Resolution No. 21:

Be it resolved by the Senate, the Assembly concurring, That our Senators be instructed and our Representatives in Congress be requested to use their best efforts to secure an official examination of our harbors, with a view to determining the practicability of increasing their defenses, and the necessity therefor.

Laid over.

Mr. McClure moved to take up and consider Senate Bill No. 91, out of order.

So ordered.

Senate Bill No. 91—An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand six hundred and fifty-seven, to enable persons claiming to be entitled to any portion of the estate of a deceased person to prove their claims.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At five o'clock and thirty-six minutes P. M., on motion of Mr. Taylor, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 17, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading was dispensed with, and the Journal approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Concurrent Resolution has been correctly enrolled:

Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory.

COX, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 74—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 249—An Act to provide for the impounding of mining debris—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

MAHLER, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 105—Entitled "An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Elections, to whom was referred Assembly Bill No. 105—Entitled "An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

W. W. KELLOGG.

E. F. DRUM.

DENNIS SPENCER.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred resolution as follows:

Resolved. That the President is hereby authorized to appoint an additional Porter for the committee rooms, to receive the same per diem as other Porters, payable out of the Contingent Fund of the Senate—have had the same under consideration, and respectfully report the same back, without recommendation.

LYNCH, Chairman.

The question being on the adoption of the resolution, the same was adopted.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Concurrent Resolution No. 19—have had the same under consideration, and respectfully report the same back, and recommend that it be considered by the Senate in Committee of the Whole.

TAYLOR, Chairman.

Senate Concurrent Resolution No. 19 referred to Committee of the Whole.

PETITIONS—(OUT OF ORDER).

Mr. Saxe presented a petition from citizens of the City and County of San Francisco, praying that our Senators and Representatives in Congress be instructed to advocate such measures as will secure to women, in the States of the Federal Union, unrestricted use of the elective franchise.

Referred to Committee on Elections.

Also, a petition from citizens of the City and County of San Francisco, praying for an amendment to article two of the Constitution of the State of California, by eliminating the word "male" therefrom.

Referred to Committee on Elections.

Mr. Days presented a petition from residents of the City and County of San Francisco, praying for the adoption of Senate Bill No. 10.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 10, with special instructions to amend—respectfully reports the same back, with amendments, as instructed.

JOHN M. DAYS.

Senate Bill No. 10 ordered reëngrossed and printed.

SPECIAL ORDERS—SECOND READING.

Senate Bill No. 211—An Act to establish a branch State Normal School.

On motion of Mr. Taylor, Senate Bill No. 211 was passed on file.

Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same.

Section one read second time.

Mr. Foster offered the following amendment: strike out of section one, line one, the words "County of Shasta," and insert the words "northern portion of this State."

Pending debate, the hour of recess having arrived, whereupon the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright.

Quorum present.

The question being upon the amendment offered by Mr. Foster, the ayes and noes were demanded by Senators Foster, Kellogg, and Parkinson.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Chandler, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Mahler, Palmieri, Parker, Parkinson, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—20.

NOES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, Dougherty, Drum, Knight, Langford, Lowe, Lynch, McClure, Perry, Routier, Taylor, Wallis, and Wright—17.

Mr. Days was paired with Mr. Johnson of Sonoma.

Section two read second time, and, on motion of Mr. Foster, amended as follows: amended by striking out of section two, line four, the words "the County of Shasta," and insert in lieu thereof the words "at some point in northern California;" also, strike out of section two, line six, the words "County of Shasta," and insert in lieu thereof "northern part of this State;" also, strike out of section two, line ten, the words "in the County of Shasta," and insert "for said school."

Sections three and four read second time.

Section five read second time, and, on motion of Mr. Kellogg, amended as follows:

SEC. 5. Said branch State Normal School shall be governed and regulated by the same laws now governing and regulating the State Normal School.

On motion of Mr. Whitney, section one, line two, was amended as follows: insert the word "branch" before the word "State."

On motion of Mr. Kellogg, the bill was amended as follows:

SEC. 6. The said buildings shall be erected and the moneys here appropriated therefor expended under the direction of the Board of Trustees of the State Normal School.

On motion of Mr. Kellogg, the title was amended so as to read as follows:

An Act to establish a branch Normal School in Northern California, to maintain the same, and appropriate money therefor.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Foster, Parker, and DeLong.

Roll called, and the bill refused engrossment and third reading by the following vote:

AYES—Messrs. Chandler, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Kelly, Kellogg, Lynch, Palmieri, Parker, Parkinson, Perry, Reddy, and Spencer of Napa—16.

NOES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Hurlburt, Johnson of San Bernardino, Knight, Langford, Lowe, Mahler, McClure, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—21.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 117—Entitled "An Act to amend sections one hundred and four, one hundred and five, and one hundred and six of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to Justices of the Peace and to Justices' Courts"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 158—Entitled "An Act to regulate fees of Clerks of Superior Courts in the State of California"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 175—Entitled "An Act to establish a State detective force for the better enforcement of the laws"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 181—Entitled "An Act to add a new section to the Code of Civil Pro-

cedure, to be designated as section six hundred and thirty-five, relating to findings in civil cases"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 185—Entitled "An Act to facilitate the giving of bonds required by law"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 188—Entitled "Proposed amendments to article six of the Constitution of the State of California, relating to the judicial department of the government"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 184—Entitled "An Act for the relief of P. A. Forrester, providing for the payment to him of his salary and expenses of office as Commissioner of Immigration for the Port of San Francisco, from April 1, 1883, up to and including December 31, 1884"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Finance.

Also, Senate Bill No. 201—Entitled "An Act to amend an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, by adding thereto a new section, to be known as section one thousand four hundred and twenty-three"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it be referred to the Committee of the Whole.

Also, Senate Bill No. 203—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, by amending section one thousand and thirty-four thereof, respecting costs on appeal"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 207—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it be referred to the Committee of the Whole.

Also, Senate Bill No. 208—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to actions between the State and individuals"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 212—Entitled "An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, and three thousand and eighty-two of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relative to the registry of births, marriages, and deaths"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 214—Entitled "Proposed amendment to article six of the Constitution of the State of California, relating to salaries of Justices of the Supreme Court and Superior Court Judges"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 88—Entitled "An Act to amend section three thousand eight hundred and ninety-three of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Substitute for Assembly Bill No. 152—Entitled "An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

McCLURE, Acting Chairman.

Mr. Kellogg moved that further reading of the report be dispensed with, and that the bills be disposed of as reported.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Saxe: Senate Bill No. 301—An Act to establish a Commission to examine and report upon water rights and irrigation in the State of California.

Referred to Committee of the Whole.

By Mr. Kellogg: Senate Bill No. 302—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Referred to Committee on Judiciary.

By Mr. Saxe: Senate Bill No. 303—An Act to amend section two

thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Road Overseers and Road Commissioners.

Referred to Committee on Roads and Highways.

Mr. Del Valle moved that the special order set for to-day, the consideration of Assembly Bill No. 12, be made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

The President announced the appointment of John H. S. Farrell as additional Porter for the committee rooms.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole, for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use—and reported progress.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Lynch: Senate Bill No. 304—An Act to amend sections two thousand five hundred and twenty-one and two thousand five hundred and fifty-two of the Political Code, and to add a new section, to be known as section two thousand five hundred and fifty-six, to the same Code, the said amended sections prescribing the terms of office of Wharfingers and Collectors, and fixing the salaries of Collectors, and the said new section prescribing the mode of collecting wharfage on merchandise and abolishing wharfage on merchandise loaded on vessels or cars to be transported out of the City and County of San Francisco.

Referred to Committee on Commerce and Navigation.

Also, Senate Bill No. 305—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-eight, two thousand five hundred and thirty, two thousand five hundred and thirty-five, two thousand five hundred and thirty-six, and two thousand five hundred and fifty-two, and to repeal section two thousand five hundred and thirty-three, of the Political Code, and to add two new sections, to be known as sections two thousand five hundred and fifty-four and two thousand five hundred and fifty-five, to the same Code; the said amended sections, and said new sections, defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary, and other officers of the Board, fixing the salary and the amount of the bond of the Secretary, and prescribing a mode of collecting wharfage from railroad companies.

Referred to Committee on Commerce and Navigation.

PETITION—(OUT OF ORDER).

Mr. Wright presented a petition from citizens of Solano County, protesting against the passage of Assembly Bill No. 89 and Senate Bill No. 231.

Referred to Committee on Education.

Mr. Taylor gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Assembly Bill No. 403 was refused engrossment and third reading.

ADJOURNMENT.

At five o'clock and five minutes P. M. Mr. Dougherty moved to adjourn.

Ayes and noes demanded on the motion, by Senators Dougherty, Drum, and Spencer of Napa.

Roll called, with the following result:

AYES—Messrs. Creighton, Del Valle, Dougherty, Drum, Foster, Hurlburt, Kellogg, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Wallis, Whitney, and Wright—18.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Cross, Days, DeLong, Filcher, Johnson of San Bernardino, Knight, Langford, Lynch, Mahler, Parker, Saxe, Spencer of Stanislaus, and Taylor—17.

Whereupon the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 18, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McClure moved to take up, out of order, Assembly messages, so far as they relate to Assembly Bill No. 290.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this

State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

FRANK D. RYAN, Chief Clerk.
By AARON SMITH, Assistant Clerk.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. McClure moved to suspend the rules and take up, out of order, Assembly Bill No. 290, and read same first time.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Read first time, and placed on file for second reading.

Mr. Taylor moved to reconsider the vote whereby Assembly Bill No. 403 was refused engrossment and third reading.

Ayes and noes demanded on the motion, by Senators Taylor, Lynch, and Routier.

Roll called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Fileher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, McClure, Palmeri, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—28.

NOES—Messrs. Cross, Hurlburt, Johnson of San Bernardino, Langford, Lowe, Mahler, Parker, Perry, Saxe, and Spencer of Stanislaus—10.

Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Taylor, Routier, and Foster.

Roll called, and the bill ordered engrossed, and to a third reading, by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Palmeri, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—24.

NOES—Messrs. Baldwin, Cross, Hurlburt, Johnson of San Bernardino, Langford, Lowe, Mahler, McClure, Parker, Perry, Saxe, Spencer of Stanislaus, and Whitney—13.

SPECIAL ORDERS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

The question being on the motion of Mr. McClure to indefinitely postpone this bill, the ayes and noes were demanded by Senators Reddy, Perry, and Chandler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Johnson of San Bernardino, Knight, Langford, McClure, Parker, Spencer of Napa, Steele, Whitney, and Wright—13.

NOES—Messrs. Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, and Wallis—23.

Mr. Langford offered the following amendment: Substitute the following for section three:

The Home shall be located at Berkeley, on the grounds of the Asylum for the Deaf, Dumb, and Blind, and shall be under the management of said institution.

Pending debate on the question, the hour of recess arrived.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Cross moved to suspend the rules, and take up and consider Senate Bill No. 249, out of order.

So ordered.

FIRST READING.

Senate Bill No. 249—An Act to provide for the impounding of mining debris.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 196—Entitled "An Act to establish weights and measures"—have had the same under consideration, and do now report the same back to the Senate, and recommend that it do not pass.

Also, Assembly Bill No. 148—Entitled "An Act to amend section nine of an Act entitled 'An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,' approved March 30, 1878"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 213—Entitled "An Act to add a new section to the Political Code, to be numbered four hundred and seventy-five, relative to deposits with banks, bankers, trust companies, and savings and loan societies"—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 7—Entitled "An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State, for the transaction of business in any kind of insurance"—and do now report the same back to the Senate, with amendments, and recommend that it do pass, as amended.

KELLOGG, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: The undersigned, a minority of your Committee on Corporations, to whom was referred Senate Bill No. 213—Entitled "An Act to add a new section to the Political Code,

to be numbered four hundred and seventy-five, relative to deposits with banks, bankers, trust companies, and savings and loan societies"—has had the same under consideration, and recommends that it do not pass.

DAVID McCCLURE.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 223—Entitled "An Act to amend section three hundred and twenty-three of the Civil Code, relating to corporate stock."

Also, Senate Bill No. 224—Entitled "An Act to amend section three hundred and twenty-four of the Civil Code, concerning corporations and corporate stock."

Also, Senate Bill No. 225—Entitled "An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers."

Also, Senate Bill No. 226—Entitled "An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KELLOGG, Chairman.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Cox: Senate Bill No. 306—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary to State Engineer for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Finance.

ON IMMIGRATION OTHER THAN CHINESE IMMIGRATION.

MR. PRESIDENT: Your Committee on Immigration other than Chinese Immigration respectfully beg leave to report that we have had under consideration the subject of creating the office of Immigration Commissioner for the State of California, and have in connection therewith prepared the accompanying bill, and beg leave to report it to the Senate, with the recommendation that it be immediately read the first time, and be placed upon the Senate files.

B. F. LANGFORD.
M. J. WRIGHT.
HENRY MAHLER.
B. G. HURLBURT.
CLAY W. TAYLOR.

INTRODUCTION OF A BILL—(OUT OF ORDER).

By Committee on Immigration other than Chinese Immigration: Senate Bill No. 307—An Act to create a State Immigration Commissioner, and to prescribe his powers and duties.

Upon the question, "Shall the rules be suspended, and this bill be read the first time?"

It was so ordered.

FIRST READING OF BILL.

Senate Bill No. 307—An Act to create a State Immigration Commissioner, and to prescribe his powers and duties.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 268—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' approved February —, 1872, by adding thereto a new section, to be known and numbered as section two hundred and nine, relative to the sale of human beings, and placing human beings under restraint

and in brothels"—having carefully considered the said bill, do hereby recommend the following amendments: That sections two, three, four, six, seven, eight, nine, and ten, be stricken out; that the remaining sections be numbered sections one and two, and that the title be amended so as to strike out the words "and in brothels;" that the said bill, as so amended, do pass.

SAXE, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments have had under consideration Senate Bill No. 187—Entitled "An Act to provide for the establishment of industrial schools, and for the maintenance and government of the same, and of all such as are now established by law, and for the commitment of children thereto"—and do now report the same back to the Senate, with amendments thereto, and recommend its passage, as amended.

Also, Senate Bill No. 239—"An Act to abolish all Commissioners or Boards of Commissioners heretofore created or appointed to construct or complete the construction of any building or edifice for any county, or city and county, and providing for the Board of Supervisors, or other governing body of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed"—and do now report the same back to the Senate, and recommend its passage.

Also, Senate Bill No. 251—Entitled "An Act to amend an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relating to the powers of the Boards of Trustees of cities of the sixth class"—and do now report the same back to the Senate, with an amendment thereto, and recommend its passage, as amended.

Also, Senate Bill No. 222—Entitled "An Act to amend section eight hundred and sixty-two of an Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 271—Entitled "An Act to enable municipal corporations of the sixth class to elect officers"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 237—Entitled "An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 161—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, to be numbered and known as section four thousand four hundred and fifteen, relating to the legislative powers of cities, cities and counties, and incorporated towns"—and do now report the same back to the Senate, without recommendation.

JOHNSON, Chairman.

ON ROADS AND HIGHWAYS.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 285—have had the same under consideration, and now report the same back, with the recommendation that it take the place of Senate Bill No. 61 on the file, and do pass.

LANGFORD, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 221—"An Act to appropriate money to pay the indebtedness named under an Act entitled "An Act to promote drainage," approved April 23, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

And we do further recommend that Senate Bill No. 110—"An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880, do not pass, for the reason that the provisions of the same are identical with those of Assembly Bill No. 221, the passage of which is hereby recommended.

Also, Senate Bill No. 293—"An Act to appropriate money to pay the claim of William Guttenberger for mechanics' tools and property destroyed at the branch State Prison at Folsom—have had the same under consideration, and respectfully report the same back, without recommendation.

DOUGHERTY, Chairman.

Mr. Chandler asked leave to withdraw Senate Bill No. 110.
So ordered.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Senate Bill No. 58—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundary, and whatever is necessary thereto—have had the same under consideration, and respectfully report the same back, without recommendation.

D. SPENCER, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 10—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Also, Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Senate Bill No. 37—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, without recommendation.

FOSTER, Chairman.

Mr. Johnson of Sonoma asked leave to withdraw Senate Bill No. 61.
So ordered.

RESOLUTION—(OUT OF ORDER).

Mr. Creighton presented the following preamble and resolution:

To the honorable the members of the Senate of the State of California:

At a joint meeting of the Executive Committee, representing the workmen in the five branches of the iron trade now on strike against a fifteen per cent reduction in wages, the undersigned committee was appointed and instructed to forward a copy of the following preamble and the resolutions, which were unanimously adopted at the meeting while in session:

WHEREAS, The members of the Senate and Assembly of the State of California, in session assembled, have given proof of their sympathy for us in our efforts to secure a fair reward for our toil and to check the inhuman greed and selfishness of those who claim to be our masters; therefore, be it

Resolved, That we hereby desire to return to them our warmest thanks, and pledge ourselves to hold their names in grateful remembrance.

Resolved, That a committee, consisting of one from each branch of trade now on strike, be appointed by the Chair, and that it be instructed to forward a copy of this preamble and resolutions to each branch of the Legislature, and ask that it be read in open session.

SAMUEL McKEE, Iron Moulders,
JAS. B. JOHNSON, Pattern Makers,
C. McFARLAND, Machinists,
F. McDERMOTT, Blacksmiths,
J. J. RYAN, Boiler Makers,
Committee.

REPORT OF A COMMITTEE—(OUT OF ORDER).

ON STANDING RULES.

MR. PRESIDENT: Your Committee on Standing Rules of the Senate have had under consideration the resolution introduced by Senator Langford on Thursday, January 29, 1885, concerning

the appointment of a Committee on Harbor and Coast Defenses, and now report the same back, without recommendation.

CROSS, Chairman.

Mr. McClure moved that the resolution be laid upon the table.

Ayes and noes demanded on the motion, by Senators Langford, Vrooman, and Perry.

Roll called, and the Senate refused to lay on the table by the following vote:

AYES—Messrs. Beauvais, Chandler, Creighton, Filcher, Hurlburt, Lynch, Mahler, McClure, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Wright—14.

NOES—Messrs. Boone, Cox, Cross, DeLong, Del Valle, Dougherty, Johnson of San Bernardino, Johnson of Sonoma, Langford, Palmieri, Parker, Parkinson, Perry, Reddy, Taylor, Wallis, and Whitney—17.

Mr. Langford moved the adoption of the resolution.

Mr. McClure moved to amend, by indefinitely postponing the resolution.

Motion to indefinitely postpone carried on a division of the Senate—ayes, 15; noes, 11.

CALL OF THE SENATE.

Mr. Del Valle moved a call of the Senate.

Ayes and noes demanded by Senators Perry, Del Valle, and Baldwin.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Chandler, DeLong, Del Valle, Hurlburt, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Stanislaus, Steele, and Vrooman—16.

NOES—Messrs. Boone, Cox, Creighton, Cross, Dougherty, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Perry, Reddy, Spencer of Napa, Taylor, Wallis, Whitney, and Wright—18.

Consideration of Assembly Bill No. 12 resumed.

Mr. Reddy offered the following as a substitute for the amendment:

SEC. 3. The Home shall be located at such place as the Board of Directors shall designate.

Adopted.

Mr. Langford withdrew his amendment to section three.

Mr. Whitney offered the following substitute for section four:

SEC. 4. The Board of Trustees is empowered to lease, for a term of not exceeding two years, suitable grounds and buildings for the purpose of determining, experimentally, the feasibility of the establishment of the Home, and of making it partially or wholly self-supporting, and of practically obtaining such other information as shall be necessary to the permanent organization and establishment of the Home.

Lost on a division of the Senate—ayes, 6; noes, 16.

Mr. Reddy offered the following amendment: amend article one so as to read as follows: strike out all of section one down to and including the word "fund," line three, and insert in lieu thereof the following:

SECTION 1. The sum of forty thousand dollars is hereby appropriated out of the moneys of the State Treasury derived from the levy of taxes for the thirty-seventh fiscal year, to be placed by the State Controller to the credit of the fund.

Lost.

On motion of Mr. Reddy, the following substitute for section two, of article one, was adopted:

SEC. 2. The Board of Directors of the Deaf, Dumb, and Blind Asylum shall act as the Board of Directors for the management of the Home.

On motion of Mr. Kellogg, section fourteen, article three, was amended, by striking out the following:

SEC. 14. The price of board and lodgings to inmates shall, in no case, exceed three dollars per week, and shall be deducted from labor credits; *provided*, that no charge for board or lodgings shall be made to any inmate while sick or unemployed, nor in any case to exceed the weekly amount earned.

On motion of Mr. Reddy, the following substitute for section two, of article two, was adopted:

SEC. 2. Every blind person who has been a resident of this State for the period of one year next prior to his application for admission, of suitable age, as hereinafter provided, shall be entitled to the benefits of instruction in said Home, free of charge.

On motion of Mr. Langford, section three, of article two, was amended by striking out the following:

SEC. 3. Such persons not residents of this State shall be entitled to the benefits of the Home, upon such terms and conditions as the Board of Directors may prescribe.

On motion of Mr. Reddy, section one, subdivision one, of article three, was amended by striking out the following:

First—To elect a President from among their number, immediately upon their appointment, and thereafter in the month of January of each and every year.

On motion of Mr. Whitney, section two, subdivision three, of article three, was amended by striking out the following:

Third—To elect a Secretary, who shall not be a member of the Board of Directors, and whose salary shall not exceed the sum of twelve hundred dollars per annum.

Mr. Whitney moved to amend, by striking out subdivision two, of section two, of article three.

Lost on a division of the Senate—ayes, 12; noes, 13.

On motion of Mr. Reddy, article six, relative to the duties of the Secretary, was stricken out.

On motion of Mr. Whitney, section four, article one, was amended by striking out the following:

SEC. 4. The Board of Directors is empowered to purchase suitable grounds and buildings, or to purchase suitable grounds, and to contract for the erection of and to erect suitable buildings thereon: such contract, if any there be, for the erection or alteration of buildings, must be made in accordance with the provisions of an Act of the Legislature of this State, entitled "An Act to regulate contracts on behalf of the State, in relation to erections and buildings," approved March 23, 1876, and compiled in the laws enacted in the twenty-first session of said Legislature, Statutes of 1875-6. No larger sum of the moneys herein appropriated than thirty-five thousand dollars shall be expended in grounds and buildings; and no larger sum than ten thousand dollars shall be expended in machinery and furniture.

Also, by striking out, on line eleven, the word "however."

On motion of Mr. Whitney, article one, section four, was amended by striking out, on line twenty-one, the word "three," and inserting in lieu thereof the word "two."

On motion of Mr. Del Valle, the further consideration of Assembly Bill No. 12 was made the special order for to-morrow morning, immediately after reading the Journal.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use—amended the same, and report the same back, and recommend that it do pass, as amended.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Langford: Senate Bill No. 308—An Act to provide for the granting of franchises to use streets, and for the use of streets, in incorporated cities and counties, cities, or towns, and for the transportation of local passengers therein.

Referred to Committee on Corporations.

By Mr. Cox: Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Referred to Committee on Finance.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Cox moved to suspend the rules and take up, out of order, Senate Bill No. 309, and read same first time.

So ordered.

FIRST READING.

Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Read first time, and placed on file for second reading.

INTRODUCTION OF A BILL—(OUT OF ORDER).

By Mr. Cross: Senate Bill No. 310—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure, relating to the disqualification of Judges and transfer of administrations.

Referred to Committee on Judiciary.

PETITION.

Mr. Hurlburt presented a petition from citizens and taxpayers of Gravelly Valley and vicinity, protesting against the passage of Assem-

bly Bill No. 13, relating to changing the boundary lines of Lake and Mendocino Counties.

Referred to Committee on Counties, County Governments, and Township Organization.

Mr. Cross moved to suspend the rules, and take up and consider Senate Bill No 136, out of order.

Ayes and noes demanded on the motion, by Senators Kellogg, Wallis, and Hurlburt.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson, of San Bernardino, Johnson of Sonoma, Kelly, Langford, Mahler, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, and Wright—25.
NOES—Messrs. Foster, Kellogg, McClure, Palmieri, Perry, and Whitney—6.

ADJOURNMENT.

At five o'clock and ten minutes P. M., on motion of Mr. Kellogg, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 19, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Foster and Cox.
Journal of yesterday partially read.

Mr. Parker moved to dispense with further reading of the Journal.

Ayes and noes demanded on the motion, by Senators Vrooman, Taylor, and Reddy.

Roll called, and the motion to dispense with further reading of the Journal carried by the following vote:

AYES—Messrs. Boone, Chandler, DeLong, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Mahler, Parker, Parkinson, Perry, Routier, Saxe, Steele, Wallis, and Wright—20.

NOES—Messrs. Creighton, Cross, Del Valle, Drum, Lynch, McClure, Palmieri, Reddy, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—12.

Journal approved.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. Boone asked leave to introduce a resolution out of order, and have the same read for information.

So ordered.

SENATE CONCURRENT RESOLUTION No. 21.

Resolved by the Senate, the Assembly concurring. That the Secretary of State be and he is hereby authorized and instructed to forward immediately to each of the United States District Courts for California, Oregon, and Nevada, and to the United States Circuit Court for the Ninth Judicial Circuit, full and complete sets of the California Statutes, and of the California Supreme Court Reports, and to mail a copy of each of such statutes and reports as fast as they are compiled and ready for distribution.

Referred to Committee on Judiciary.

Mr. Lynch moved to proceed to the consideration of the Governor's appointments, sent in this day.

Mr. Del Valle moved that the consideration of the gubernatorial appointments be made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 240—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Also, Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Also, Assembly Joint Resolution No. 1—Relative to authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNIGHT, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Amended Bill No. 403—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Upon the question, "Shall this bill be engrossed, and read a third time?"

It was so ordered.

REPORTS OF STANDING COMMITTEES.

ON CAPITAL AND LABOR.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Capital and Labor, to whom was referred Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 131—Entitled "An Act to amend sections two thousand four hundred and forty-five, two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and thirty-five, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of the Political Code," relating to the pilot regulations of San Francisco, Mare Island, Vallejo, and Bennera—beg leave to report that they have had the same under consideration, and now respectfully report the same back, with the recommendation that it do pass, as amended.

KELLY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 18, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

GEORGE STONEMAN, Governor.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Also, Assembly Bill No. 77—An Act making an appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Also, Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

FRANK D. RYAN, Chief Clerk.

By C. S. LONG, Assistant Clerk.

Assembly Bill No. 88 was referred to the Judiciary Committee.

Assembly Bills No. 77, 124, 125, and 235, referred to Committee on Finance.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 10—Relative to adulterations of articles of food.

FRANK D. RYAN, Chief Clerk.

By C. S. LONG, Assistant Clerk.

Referred to Committee on Enrollment.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

FRANK D. RYAN, Chief Clerk.

By C. S. LONG, Assistant Clerk.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Knight:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of Benjamin Knight, for mileage account of Senate Committee on Hospitals, for the sum of five hundred and sixty-eight dollars and sixty cents, as per statement herewith:

| | Miles. | Amount. |
|---|--------|----------|
| Senator Baldwin— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Totals..... | 96 | \$9 60 |
| Senator Creighton— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| Totals..... | 280 | \$28 00 |
| Senator Saxe— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| To Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,236 | \$123 60 |
| Senator Wright— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| Sacramento to Vallejo..... | 35 | 3 50 |
| Vallejo to Sacramento..... | 35 | 3 50 |
| Sacramento to Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,306 | \$130 60 |
| Senator Knight— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,052 | \$105 20 |
| Clerk Plant— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| Sacramento to Vallejo..... | 35 | 3 50 |
| Vallejo to Sacramento..... | 35 | 3 50 |
| Sacramento to Los Angeles and return..... | 956 | 95 60 |
| Sacramento to Santa Cruz and return..... | 410 | 41 00 |
| Totals..... | 1,716 | \$171 60 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL FILE—THIRD READING.

Assembly Bill No. 403—An Act to establish a branch State Normal School.

Bill read third time.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.
So ordered.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Mr. Spencer of Napa. Leave of absence was granted to Committee on Public Buildings. Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Excused—Senators Baldwin, Cox, Days, Foster, Lowe, and Spencer of Napa.

On motion of Mr. Knight, further proceedings under the call of the Senate were dispensed with.

Mr. Taylor moved to make the further consideration of Assembly Bill No. 403 the special order for to-morrow morning, immediately after special order already set.

Ayes and noes demanded on the motion, by Senators Lynch, Taylor, and Kellogg.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Lynch, Mahler, Perry, Reddy, Routier, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—24.

NOES—Messrs. Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Palmieri, Parker, Parkinson, Saxe, and Spencer of Stanislaus—10.

SECOND READING.

Senate Bill No. 211—An Act to establish a branch State Normal School.

Mr. Taylor asked leave to withdraw this bill.

So ordered.

CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. Reddy asked leave to introduce a resolution, relating to the suspension of silver coinage, and have the same read for information.

Mr. Cross asked to have the consideration temporarily postponed, as he desired to prepare an amendment thereto.

No objection being made, it was so ordered.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 52—An Act to provide for the erection of buildings for the custody of insane criminals, and persons charged with crime, and to appropriate money therefor.

Read second time.

Committee amendment to section one, as follows, adopted: amend, by inserting on line one, section one, after the word "of," the word "fifteen."

On motion of Mr. Cross, section one was further amended as fol-

lows: amend section one, by striking out from the word "the," on line four, to and including the word "prison," on line five, and insert in lieu thereof the following: "State Prison at San Quentin."

Upon the question, "Shall this bill be engrossed, and read the third time?"

It was so ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 276—Entitled "An Act to amend section one thousand seven hundred and seventy-two of the Political Code"—report the same back, and recommend that it do pass, as amended.

Also, Senate Bill No. 277—Entitled "An Act to amend section six hundred and sixty-five of the Political Code"—recommend that it do pass, as amended.

Also, Senate Bill No. 231—Entitled "An Act to establish the California Home for the care and training of feeble-minded children"—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 89—Entitled "An Act to establish the California Home for the care of feeble-minded children"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

G. A. JOHNSON, Chairman.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Read second time, as far as section five.

Mr. Reddy moved to strike out all of section five.

Pending debate on the question, the hour of recess arrived.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Chandler moved to suspend the rules, and take up, out of order, Assembly Bill No. 221, and read the same first time.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read first time, and placed on file for second reading.

Consideration of Senate Bill No. 282 resumed.

Mr. Boone moved to re-refer Senate Bill No. 282 to the Committee on Finance.

Mr. Boone moved to amend, by re-referring to Committee on Hospitals.

Lost.

The question recurring on the original motion, the same was lost.

The question recurring on the motion of Mr. Reddy, to strike out all of section five, the ayes and noes were demanded by Senators Reddy, Lynch, and Perry.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Lynch, Perry, and Reddy—3.

NOES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—24.

Section six read second time, and, on motion of Mr. Knight, amended as follows: amend section six, on line seven, by striking out, after the word "asylum," the remainder of the section.

Section seven read second time, and, on motion of Mr. Knight, amended as follows: amend section seven, on line seven, by striking out the word "six," and inserting the word "two."

Mr. Boone moved to amend section eight, by inserting, after the word "architect," in line one, the words "after suitable and proper competition."

Lost.

Mr. Boone moved to amend section eight, by striking out the words "and also to," in line two, and inserting in lieu thereof the words "they shall also have power to employ a suitable person to."

Lost.

Mr. Vrooman moved to amend, by striking out of section eight, line three, the words "be fixed and," and insert in lieu thereof the words "not exceed one per cent upon the cost of the building, and shall be."

Lost.

Mr. Knight offered the following amendment: amend section seventeen, by striking out, on line two, the word "six," and inserting the word "two."

Adopted.

Mr. Del Valle offered the following amendment: amend, by adding to section one, as follows: "but if such county shall already contain an asylum for the insane, then such name may be given to the said new asylum as the Trustees may determine."

Adopted.

Mr. Del Valle offered the following amendment: amend section two, so as to read as follows:

SEC. 2. The Trustees of the Napa Insane Asylum shall be Trustees of the asylum created by this Act, and it shall be their duty to select a site for the said asylum, and cause the same to be erected as hereinafter provided.

Amendment adopted on a division of the Senate—ayes, 16; noes, 11.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Judiciary have had under consideration Senate Bill No. 112—Entitled "An Act to amend sections one thousand one hundred and eighty-three, one

thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 44—Entitled "An Act to amend section one thousand one hundred and eighty-three of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to liens of mechanics and others upon real property"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 145—Entitled "An Act to declare the identity of married women"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 193—Entitled "An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of action for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any tax"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 202—Entitled "An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Finance.

Also, Senate Bill No. 191—Entitled "An Act relating to revenue and taxation"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Finance.

Also, Senate Bill No. 192—Entitled "An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue and taxation"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Finance.

Also, Senate Bill No. 227—Entitled "An Act to amend section one thousand and eighty-six of the Code of Civil Procedure, relating to the writ of mandate"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 228—Entitled "An Act to amend section one thousand and ninety-one of the Code of Civil Procedure, relating to the writ of mandate"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 302—Entitled "An Act to amend section eight hundred and sixty-nine of an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 42—Entitled "An Act to amend section four hundred and twelve of the Penal Code, relative to prize fighting"—and do now report the same back to the Senate, and recommend that it be referred to the Committee on Irrigation.

CROSS, Chairman.

Bills referred as reported.

Mr. Cross gave notice that he would call up Senate Bill No. 336 immediately after disposal of the bill under consideration.

Consideration of Senate Bill No. 282 resumed.

On motion of Mr. Del Valle, section three was stricken out.

Mr. Del Valle offered the following amendment: amend section four; on line one, after the word "Trustees," strike out the words "first appointed."

Adopted.

Second reading of this bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 18, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage beg leave to report the following statement that has been submitted to them by the Committee on State Prisons, and, in accordance therewith, respectfully recommend that the Controller be instructed to draw his warrant in favor of Senator P. Reddy, Chairman of the Senate Committee on State Prisons, for the sum of three hundred and ninety-two dollars and ten cents.

Also, your committee find that the following members of the Military Committee are entitled to mileage, as follows: Senator Drumm, Sacramento to San Francisco, eighty-four miles; San Francisco to Stockton, ninety-two miles; Stockton to Sacramento, forty-eight miles; total, two hundred and twenty-four miles. Senator Perry, to San Francisco and return, one hundred and sixty-eight miles. Secretary Cochrane, Sacramento to San Francisco, eighty-four miles; San Francisco to Stockton, ninety-two miles; Stockton to Sacramento, forty-eight miles; total, two hundred and twenty-four miles.

And your committee recommend that the Controller be authorized and instructed to draw his warrant in favor of Senator Drumm, Chairman of Senate Committee on Military Affairs, for the sum of sixty-one dollars and sixty cents.

LYNCH, Chairman.

SACRAMENTO, February 16, 1885.

THE STATE OF CALIFORNIA,

To Senate Committee on State Prisons and Prison Buildings, Dr.

| Date. | NAME. | Miles. | Amount. |
|--------------|---|--------|---------|
| 1885. | Senator P. Reddy— | | |
| Jan. 26--- | To mileage from Sacramento to Folsom Prison and return----- | 48 | |
| Jan. 30--- | To mileage from Sacramento to San Quentin Prison and return--- | 214 | |
| | | 262 | \$26 20 |
| | To cash paid for telegrams, etc.----- | | 6 25 |
| | Total----- | | \$32 45 |
| Jan. 26, 30. | Senator F. C. DeLong—Mileage as above----- | 262 | 26 20 |
| Jan. 26, 30. | Senator J. Routier—Mileage as above----- | 262 | 26 20 |
| Jan. 26, 30. | Senator G. C. Parkinson—Mileage as above----- | 262 | 26 20 |
| Jan. 26--- | Senator B. Knight—To mileage from Sacramento to Folsom and return----- | 48 | 4 80 |
| Jan. 26--- | Senator J. D. Spencer—To mileage from Sacramento to Folsom and return----- | 48 | 4 80 |
| Jan. 30--- | Senator George Perry—To mileage from Sacramento to San Quentin and return----- | 214 | 21 40 |
| Jan. 30--- | Senator Martin Kelly—To mileage from Sacramento to San Quentin and return----- | 214 | \$21 40 |
| Jan. 30--- | Senator Foster—To mileage from Sacramento to San Quentin and return----- | 214 | 21 40 |
| | R. W. Woolard, Clerk—To mileage from Sacramento to Folsom and San Quentin and return----- | 262 | 26 20 |
| Jan. 26, 30. | P. H. Maloney, Sergeant-at-Arms— | | |
| | To mileage from Sacramento to Folsom and San Quentin and return. | 262 | 26 20 |
| | To mileage from San Francisco to Brooklyn and return, serving subpoena on J. R. Robinson----- | 20 | 2 00 |
| | To mileage from San Francisco to Point Lobos Avenue and return, serving subpoena on J. V. Ellis----- | 10 | 1 00 |
| | John F. Burris, Shorthand Reporter—To mileage from Sacramento to Folsom and San Quentin Prisons and return----- | 262 | 26 20 |
| 1885. | <i>To fees of witnesses subpoenaed, and in attendance before committees.</i> | | |
| Jan. 30--- | William Dalzell, one day----- | | \$2 00 |
| | To mileage from San Francisco to San Quentin and return, 34 miles. | 3 40 | |
| | | | 5 40 |
| Feb. 10, 11. | Clinton Terry, two days----- | | \$4 00 |
| | To mileage from Stockton to Sacramento and return, 100 miles. | 10 00 | |
| | | | 14 00 |

| Date. | NAME. | Amount |
|---------|---|----------|
| Feb. 5 | Grant Dickerson, one day ----- | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 180 miles ----- | 18 00 |
| | | \$20 00 |
| Feb. 5 | V. F. Ellis, one day ----- | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 180 miles ----- | 18 00 |
| | | 20 00 |
| Feb. 5 | Barry Baldwin, one day ----- | \$2 00 |
| | To mileage from San Francisco and return, 180 miles ----- | 18 00 |
| | | 20 00 |
| Feb. 5 | J. P. Ames, one day ----- | \$2 00 |
| | To mileage from San Francisco and return, 180 miles ----- | 18 00 |
| | | 20 00 |
| Feb. 5 | Wilson White, one day ----- | \$2 00 |
| | To mileage from San Francisco and return, 180 miles ----- | 18 00 |
| | | 20 00 |
| | <i>The State of California to Patrick Reddy.</i> | |
| | To cash paid for sundry items, as follows: | |
| Jan. 28 | To postage stamps ----- | 25 |
| | To telegram to Paul Shirley, San Quentin ----- | 45 |
| | To telegram to J. P. Ames and J. V. Ellis, San Francisco ----- | 1 00 |
| Jan. 30 | To telegram to Senator Foster, San Francisco ----- | 25 |
| Feb. 2 | To two telegrams to J. P. Ames, San Francisco and Oakland ----- | 70 |
| | To postage stamps ----- | 25 |
| Feb. 3 | To telegram to John Boggs, Colusa ----- | 50 |
| Feb. 4 | To telegram to G. G. Crandall ----- | 25 |
| | To postage stamps, Sergeant-at-Arms ----- | 50 |
| Feb. 5 | To telegram to Clinton Terry, San Francisco ----- | 50 |
| | To telegram to W. Martin ----- | 25 |
| Feb. 6 | To telegram to W. Martin ----- | 25 |
| Feb. 7 | To telegram from W. Martin ----- | 25 |
| Feb. 7 | To telegram from W. Martin, respecting Clinton Terry ----- | 60 |
| Feb. 16 | To postage stamps ----- | 25 |
| | Total ----- | \$392 10 |

I believe the above to be correct.

PATRICK REDDY, Chairman.

Upon motion of Mr. Lynch, the report, as presented, was adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Parkinson: Senate Bill No. 311—An Act to amend section one thousand one hundred and seventy-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also, Senate Bill No. 312—An Act to amend chapter four of the Code of Civil Procedure, concerning summary proceedings for obtaining possession of real property when no judgment for damages or costs is demanded.

Referred to Committee on Judiciary.

Also, Senate Bill No. 313—An Act to amend section eight hundred and sixty-nine of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also, Senate Bill No. 314—An Act to prevent unjust delays and expenses in cases of unlawful detainer of real property.

Referred to Committee on Judiciary.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, to whom was referred Senate Bill No. 21—An Act to authorize the construction, furnishing, and leasing of a hotel in Yosemite Valley, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

CREIGHTON, Chairman.

RESOLUTIONS—(OUT OF ORDER).

Mr. Reddy offered a resolution from the Board of Directors of the Immigration Association of California, relating to irrigation and water rights.

Mr. McClure moved that the resolution be referred to the San Francisco delegation of the Senate.

So ordered.

By Mr. Reddy: Concurrent Resolution No. 22:

WHEREAS, The interests of the people of California—of whatever occupation, calling, or profession, and of every shade of political belief—demand that the Government of the United States undertake the business of transmitting by telegraph "intelligence between the inhabitants of the land," as proposed by the measure now before Congress, known as the "Summer Postal Telegraph Bill;" therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That we heartily indorse the Postal Telegraph Bill introduced in Congress by our Representative, Hon. Charles A. Sumner, believing it to be a wise and practical measure, and one imperatively demanded by the best interests of the whole people of the United States.

Resolved, That our Senators be instructed, and our Representatives in Congress be requested, to support, and by all honorable means endeavor to secure the passage of said bill.

Resolved, That the Governor of California be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

REMONSTRANCE.

Mr. Cox presented a remonstrance from citizens and taxpayers of Kern County, protesting against the measures proposed and laws contained in Assembly Bills Nos. 170 and 171.

On motion of Mr. Kellogg, referred to Committee of the Whole.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 210—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irri-

gation purposes, and declaring such purposes a public use, and to come within title three, of part three, of the Code of Civil Procedure of this State—and reported progress.

Mr. McClure moved to take up Assembly messages, out of order.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

F. D. RYAN, Chief Clerk.

By AARON SMITH, Assistant Clerk.

Referred to Committee on Finance.

Mr. Cross moved to take up Senate Bill No. 236, and read same first time.

So ordered.

Senate Bill No. 236—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the qualification of voters.

Read first time, and placed on file for second reading.

Mr. Spencer of Napa moved to suspend the rules, and take up and consider Senate Bill No. 47, out of order.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Section one read second time, and amendments of committee, as follows, adopted: amend section one, by striking out, on line two, the words "shall be," and inserting in lieu thereof the words "heretofore or hereafter;" amend section one, by striking out, on line three, the word "and;" amend section one, by striking out, on line four, the word "the" after the words "physician of," and inserting in lieu thereof the word "any;" amend section one, by striking out, on lines four and five, the words "at Napa, or of the Medical Superintendent of the State Asylum for the Insane at Stockton."

Second reading of this bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Langford:

WHEREAS, We have learned, with the deepest sensibility, of the death of Hon. John W. Satterwhite, late Senator of this State from the First District: and, whereas, he was always true to his own convictions of duty, both in public and private life, his noblest ambition being to perform well and faithfully the part assigned to him. Learned in the law, wise as a statesman, and incorruptible as a public servant of the people, his name was honored and respected throughout the State of California, to whose welfare and prosperity he gave the ripest years of his useful life: and, whereas, he was admired for his talents and virtues while living, and now that he is dead, we desire to pay homage to his memory; therefore, be it

Resolved, That in the demise of Hon. John W. Satterwhite the State of California has been deprived of the services of one of her purest and most gifted representative citizens, whose whole life, public or professional, whether at the Bar, or in the halls of legislation, was assiduously devoted to the cause of truth and justice.

Resolved, That the archives of this State conspicuously attest the fullness and wisdom of his public labors.

Resolved, further, That when the Senate adjourns, it adjourns in respect to his memory.

The question being on the adoption of the resolution, the same was adopted by a unanimous rising vote.

At five o'clock and twenty-five minutes P. M., Mr. McClure moved to adjourn.

Ayes and noes demanded by Senators Kellogg, Parker, and Johnson of San Bernardino.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Foster, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, McClure, Parker, and Parkinson—7.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Drum, Filcher, Hurlburt, Kelly, Langford, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—26.

Mr. Lynch moved to suspend the rules, and take up and consider Assembly Bill No. 262, out of order.

So ordered.

FIRST READING.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read first time, and placed on file for second reading.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 42, most respectfully report the same back to the Senate, and recommend its passage.

CLAY W. TAYLOR, Chairman.

C. F. FOSTER.

A. W. SAXE.

A. P. JOHNSON.

GEORGE E. WHITNEY.

A. B. BEAUVAIS.

PATRICK REDDY.

Mr. Cox moved to suspend the rules, and take up and consider Assembly Bill No. 309, out of order.

So ordered.

Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Kellogg, McClure, and Johnson of San Bernardino.

Roll called, and the bill ordered read a second time, by the following vote:

AYES—Messrs. Chandler, Cox, Creighton, Cross, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Palmieri, Perry, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—22.

NOES—Messrs. Beauvais, Boone, Johnson of San Bernardino, Kellogg, Mahler, McClure, Parker, Parkinson, and Saxe—9.

Senate Bill No. 309 read second time, ordered engrossed, and placed on file for third reading.

ADJOURNMENT.

At five o'clock and thirty-five minutes P. M. Mr. Kellogg moved to adjourn.

Division demanded.

The President declared the Senate adjourned on a division of the Senate—ayes, 20; noes, 7.

IN SENATE.

SENATE CHAMBER, }
Friday, February 20, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Ware.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading was dispensed with, on a division of the Senate—ayes, 15; noes, 8.

Journal approved.

SPECIAL ORDERS.

Consideration of Governor's message, relative to appointments:

Mr. McClure moved that the special order, the consideration of the gubernatorial appointments, be postponed until Tuesday, February 24, 1885, immediately after reading the Journal.

Ayes and noes demanded by Senators Lynch, Boone, and Lowe.

Roll called, and the motion to postpone carried by the following vote:

Ayes—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—26.

Noes—Messrs. Baldwin, Boone, DeLong, Foster, Johnson of Sonoma, Kelly, Langford, Lynch, Parker, Perry, Spencer of Napa, and Spencer of Stanislaus—12.

After consideration of above special order:

Assembly Bill No. 403—An Act to establish a branch State Normal School.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

On motion of Mr. Kellogg, further proceedings under the call of the Senate were dispensed with.

The question being on the passage of Assembly Bill No. 403, the same was passed by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Knight, Lynch, McClure, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—25.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Hurlburt, Johnson of San Bernardino, Kellogg, Langford, Lowe, Mahler, Palmieri, Parker, Saxe, and Spencer of Stanislaus—14.

Title read and approved.

Mr. Hurlburt moved to recommit Assembly Bill No. 13 to Committee on Counties, County Governments, and Township Organization.

After debate, the ayes and noes were demanded by Senators Spencer of Napa, Del Valle, and Drum.

Roll called, and the motion to recommit carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—Messrs. Del Valle, Filcher, Lynch, Spencer of Napa, and Spencer of Stanislaus—5.

Mr. Whitney gave notice that, on to-morrow, he should move for reconsideration of the vote whereby Assembly Bill No. 403 was passed.

RESOLUTION.

Mr. Whitney offered the following resolution:

Resolved, That the Secretary be directed to request the Assembly to return to the Senate Assembly Bill No. 403—An Act to establish a branch Normal School.

Adopted.

Mr. Whitney moved to recommit Assembly Bill No. 89 to Committee on Education.

So ordered.

Mr. Vrooman moved to re-refer Senate Bill No. 79 to the Committee on City, City and County, and Town Governments, and that the bill should not lose its place on the file.

So ordered.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Reddy: Senate Concurrent Resolution No. 23—Relating to the suspension of silver coinage:

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed, and our Representatives requested, to oppose by all reasonable means the passage of any bill in Congress having for its object the suspension of silver coinage.

Resolved, further, That the Governor of this State be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Cross moved to amend, by adding at the end of resolution number one, "or the demonetization of silver coin."

Adopted.

The resolution, as amended, adopted.

On motion of Mr. Reddy, the resolution introduced by him on yesterday, relating to Postal Telegraph Bill, was referred to Committee on Federal Relations.

President pro tem. Benjamin Knight in the chair.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 33—An Act to add one section to an Act of the Legislature of the State of California, entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, to be known as section number one hundred and eighty-five, to provide for the appointment and payment by the Board of Supervisors, in counties of the fifth class, of clerks and assistants for county officers, and the allowance of necessary expenses incurred by the Sheriffs of such counties in the transaction of criminal business—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Senate Bill No. 283—An Act to amend section seventy-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to interest on unpaid warrants.

Also, Senate Bill No. 288—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Senate Bill No. 125—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Senate Bill No. 98—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a uniform system of county and township governments," by repealing subdivision three of section one hundred and seventy-eight thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

D. SPENCER, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: The undersigned, a minority of the Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 288—Entitled "An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BENJAMIN KNIGHT.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 282, 309, 52, 47, and Assembly Bill No. 12—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 31—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

F. D. RYAN, Chief Clerk.

By A. SMITH, Assistant Clerk.

Mr. Perry moved to take up the amendments of the Assembly to Senate Bill No. 31.

So ordered.

Mr. Perry moved to concur in Assembly amendment to section two, as follows: insert, after "State," line five, section two, the words "together with the copyrights of the same, and the exclusive right to manufacture and sell such works within the State of California."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—39.

NOES—None.

President Daggett in the chair.

Mr. Perry moved to concur in Assembly amendment to section four, as follows: strike out, in section four, all after the word "infringement."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Whitney, and Wright—32.

NOES—Messrs. Days, Johnson of San Bernardino, McClure, and Vrooman—4.

Mr. Perry moved to concur in Assembly amendments to section nine, as follows: amend section nine, by inserting after the word "manufacture," on line six, the following: "*provided*, that the State Board of Education shall first approve the style of printing, engravings, and illustrations, kind of paper, size, and binding of volumes;" also, strike out, in section nine, the figure "6," and substitute therefor the figure "4."

Roll called, and the amendments concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—36.

NOES—Messrs. McClure and Parker—2.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, in accordance with request of your honorable body, returns Assembly Bill No. 403—An Act to establish a branch Normal School in Northern California, to maintain the same, and appropriate money therefor.

F. D. RYAN, Chief Clerk.

By AARON SMITH, Assistant Clerk.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Vrooman: Senate Bill No. 315—An Act to secure to the State of California the benefits of experience among teachers in the public schools.

Referred to Committee on Education.

By Senate Committee on Public Printing: Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing.
To file.

By Mr. McClure: Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the

Park Commissioners of Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Referred to Committee on City, City and County, and Town Governments.

By Mr. Filcher: Senate Bill No. 318—An Act to amend section fifteen, of article twenty, of the Constitution of the State of California.

Referred to the Committee on Judiciary.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock p. m. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Mr. Steele, by request, offered a resolution, and asked that it be read for information, relative to charges of irregularities in the present management of the office of the State Surveyor-General.

Mr. Whitney moved to lay the whole matter on the table.

So ordered.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Constitutional Amendment No. 15—An Act to amend sections one, eight, ten, and eleven, of article thirteen, of the Constitution—report the same back, and recommend that it do pass.

Also, Assembly Constitutional Amendment No. 2—Entitled "An Act to propose an amendment to section one, of article thirteen, of the Constitution, relating to revenue and taxation"—have had the same under consideration, and report the same back, without recommendation.

KNIGHT, Chairman.

SPECIAL FILE—THIRD READING.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

CALL OF THE SENATE.

Mr. Reddy moved a call of the Senate.

So ordered.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Mr. Mahler.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

On motion of Mr. Langford, further proceedings under the call of the Senate were dispensed with.

Assembly Bill No. 12 read third time, and passed by the following vote:

AYES—Messrs. Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lowe, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Wright—26.

NOES—Messrs. Beauvais, Boone, Cox, Johnson of San Bernardino, Knight, Langford, Parker, Taylor, and Whitney—9.

On motion of Mr. Del Valle, the title was amended, as follows: amend title, by striking out, on line one, after the word "appropriating," the word "eighty," and insert "forty;" also, strike out the word "permanent," so as to read:

Appropriating forty thousand dollars for the purpose of the establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Title read and approved.

Senate Bill No. 52—An Act to provide for the erection of buildings for the custody of insane criminals and persons charged with crime, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—33.

NOES—Messrs. Beauvais, Cross, Filcher, Lynch, and Perry—5.

Title read and approved.

Mr. Taylor gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 52 was passed.

On motion of Mr. Spencer of Napa, Senate Bill No. 282 was passed on file for one half hour.

Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, and Wallis—24.

NOES—Messrs. Beauvais, Boone, Chandler, Johnson of San Bernardino, Lowe, McClure, Parker, Parkinson, Vrooman, Whitney, and Wright—11.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read second time, and placed on file for third reading.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

On motion of Mr. Kellogg, this bill was passed on file, and placed at the head of second reading file for to-morrow.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Section one read second time.

Mr. Johnson of Sonoma moved to strike out section two of the bill. So ordered.

Mr. Vrooman moved to strike out, on line three, section three, of printed bill, the word "present."

So ordered.

Mr. Johnson of Sonoma moved to strike out section four of the bill. So ordered.

Mr. Johnson of Sonoma moved to strike out section seven of the bill. So ordered.

On motion of Mr. Johnson of Sonoma, section eight was amended as follows: in subdivision three, after the word "district," on line nineteen, insert "the warrants must be drawn in the order in which the orders therefor are filed in his office."

Senate Bill No. 247 read as far as, and including, section eight.

Mr. Spencer of Napa moved to take up and read Senate Bill No. 282 third time.

So ordered.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—30.

NOES—Messrs. Cross, Filcher, Lynch, and Vrooman—4.

Title read and approved.

Mr. Lynch gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Assembly Bill No. 12 was passed.

Mr. Saxe gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 309 was passed.

Mr. Steele asked leave to withdraw the resolution offered by him to-day.

So ordered.

Mr. Baldwin moved to place Senate Bill No. 74 on special file for third reading.

So ordered.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 210—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title three, of part three, of the Code of Civil Procedure of this State—and reported progress.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 305—Entitled "An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-eight, two thousand five hundred and thirty, two thousand five hundred and thirty-five, two thousand five hundred and thirty-six, and two thousand five hundred and fifty-two, and to repeal section two thousand five hundred and thirty-three of the Political Code, and to add two new sections, to be known as sections two thousand five hundred and fifty-four and two thousand five hundred and fifty-five, to the same Code, the said amended sections and said new sections defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary and other officers of the Board, fixing the salary and the amount of the bond of the Secretary, and prescribing a mode of collecting wharfage from railroad companies."

Also, Senate Bill No. 245—Entitled "An Act to amend section two thousand five hundred and twenty-five of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties."

Also, Senate Bill No. 291—Entitled "An Act to amend section two thousand three hundred and forty-nine of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to public ways and navigable streams."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KELLY, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage beg leave to submit the following report of mileage of the Educational Committee:

| NAME. | Miles. Amount. | |
|--|------------------|---------|
| Senator Johnson, to Berkeley, San José, and return | 282 | \$28 20 |
| Senator Del Valle, to Berkeley and return | 182 | 18 20 |
| Senator Lynch, to Berkeley, San José, and return | 282 | 28 20 |
| Senator Lowe, to San José and return | 256 | 25 60 |
| W. E. Bond, Clerk for committee, to Berkeley, San José, and return | 282 | 28 20 |

And we recommend that the Controllor be instructed to draw his warrant in favor of Senator Johnson for the sum of one hundred and twenty-eight dollars and forty cents, as per above report, to be paid out of the Contingent Fund of the Senate.

Your committee desire to state that Professor Weleker, Superintendent of Public Instruction, was invited by the Educational Committee to accompany them to San José, and the Educational Committee recommend that he be allowed mileage; but your committee can find no authority for such action. They, therefore, leave it to the sense of the Senate, believing, nevertheless, that Professor Weleker should be allowed the sum of twenty-eight dollars and twenty cents, if at all compatible with the rules of the Senate.

LYNCH, Chairman.

On motion of Mr. Johnson of Sonoma, the report of the committee, as presented, was adopted.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Johnson of Sonoma:

Resolved, That the State Superintendent of Public Instruction be allowed his mileage in accompanying the Senate Committee on Education, amounting to twenty-eight dollars and twenty cents, payable out of the Contingent Fund of the Senate.

Ayes and noes demanded on the adoption of the resolution, by Senators Johnson of San Bernardino, Parkinson, and Vrooman.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Cox, Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Langford, Lowe, Lynch, Mahler, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—25.

NOES—Messrs. Boone, Chandler, DeLong, Johnson of San Bernardino, Kellogg, McClure, Parkinson, and Vrooman—8.

By Mr. Cross:

Resolved, That the Senate meet at seven o'clock and thirty minutes p. m. to-day, and remain in session until ten o'clock p. m., and that at such session no other business be transacted except the first reading of bills.

Mr. Steele moved to strike out ten o'clock.

Lost.

The question recurring on the adoption of the resolution, the same was adopted.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. Routier: Senate Bill No. 319—An Act regulating the labeling of vessels containing fermented liquors.

Referred to Committee on Viniculture and Viticulture.

Consideration of Senate Bill No. 247 resumed.

On motion of Mr. Johnson of Sonoma, section eight was amended as follows: on line sixty-three, after the word "Superintendent," insert the words "of schools."

Senate Bill No. 247 read second time as far as section fourteen.

RECESS.

At five o'clock and twenty-five minutes P. M., on motion of Mr. Johnson of Sonoma, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Boone, Chandler, Creighton, Days, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wright.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Langford.

Mr. Taylor moved a call of the Senate.

At seven o'clock and thirty-five minutes P. M., Mr. Vrooman moved to adjourn.

Ayes and noes demanded on the motion, by Senators Days, Vrooman, and Knight.

Roll called, and the motion to adjourn lost by the following vote:

AYES—Messrs. Boone, Creighton, Hurlburt, McClure, Parkinson, Perry, and Vrooman—7.

NOES—Messrs. Beauvais, Chandler, Days, DeLong, Del Valle, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Lynch, Mahler, Palmieri, Parker, Spencer of Stanislaus, Taylor, Whitney, and Wright—19.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.

Ayes and noes demanded on the motion, by Senators Taylor, Vrooman, and Foster.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, DeLong, Del Valle, Dougherty, Foster, Lynch, Mahler, Palmieri, Perry, Steele, Taylor, and Vrooman—14.

NOES—Messrs. Chandler, Creighton, Days, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McClure, Parker, Parkinson, Spencer of Stanislaus, Whitney, and Wright—15.

Mr. Knight moved that when the Senate adjourns it adjourns until Tuesday, February 24, 1885.

Ayes and noes demanded on the motion, by Senators Taylor, Mahler, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Knight, Parkinson, Perry, Spencer of Napa, Spencer of Stanislaus, and Wright—6.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Routier, Steele, Taylor, Vrooman, and Whitney—26.

On motion of Mr. McClure, Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation—was placed on special file for first reading.

Mr. Spencer of Napa asked leave of absence for the Committee on Counties, County Governments, and Township Organization.

Objection being made, the ayes and noes were demanded by Senators Taylor, Knight, and Lynch.

Roll called, and the committee granted leave of absence by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, DeLong, Del Valle, Dougherty, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Mahler, McClure, Palmieri, Parkinson, Routier, Spencer of Napa, Spencer of Stanislaus, and Whitney—18.

NOES—Messrs. Boone, Creighton, Days, Hurlburt, Kellogg, Knight, Lowe, Lynch, Parker, Perry, Steele, Taylor, Vrooman, and Wright—14.

SPECIAL FILE—FIRST READING OF BILLS.

Senate Bill No. 42—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Passed on file.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read first time, and placed on file for second reading.

Senate Bill No. 231—An Act to establish the California Home for the care and training of feeble-minded children.

On motion of Mr. McClure, this bill was passed on file.

Senate Bill No. 188—Proposed amendment to article six of the Constitution of the State of California, relating to the judicial department of the Government.

First reading refused.

Senate Bill No. 214—Proposed amendment to article six of the Constitution of the State of California, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Read first time, and placed on file for second reading.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 64—An Act to amend the Civil Code of the State of California, relating to marriages, by repealing section seventy-five of said Code.

Upon the question, "Shall this bill be read the first time?"

The ayes and noes were demanded by Senators McClure, Drum, and DeLong.

Roll called, and the bill ordered read the first time by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Foster, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Spencer of Stanislaus, Steele, Whitney, and Wright—19.

NOES—Messrs. Beauvais, Drum, McClure, Parkinson, Perry, Routier, and Vrooman—7.

Senate Bill No. 64 read first time, and placed on file for second reading.

President pro tem. Benjamin Knight in the chair.

Senate Bill No. 155—An Act to establish a boys' reform school, for the correction and reformation of juvenile offenders.

Mr. Kellogg moved a call of the Senate.

Lost.

Senate Bill No. 155 read first time, and placed on file for second reading.

Senate Bill No. 12—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

On motion of Mr. Days, this bill was passed on file.

Mr. Days moved to suspend the rules, and take up and consider Senate Bill No. 281, out of order.

Lost.

Senate Bill No. 139—An Act to add a new section to the Civil Code, to be known as section five hundred and forty-one, in relation to telegraph lines.

Read first time, and placed on file for second reading.

Senate Bill No. 12—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 26—An Act to regulate life and accidental insurance.

Read first time, and placed on file for second reading.

Senate Bill No. 82—An Act concerning corporations engaged in banking and doing a regular commercial banking business.

Upon the question, "Shall this bill be read the first time?"

The ayes and noes were demanded by Senators Kellogg, Creighton, and Filcher.

Roll called, and the bill ordered read the first time by the following vote:

AYES—Messrs. Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Kelly, Kellogg, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Spencer of Stanislaus, Whitney, and Wright—20.

NOES—Messrs. Boone, Filcher, Lowe, McClure, Steele, and Vrooman—6.

Senate Bill No. 82, read first time, and placed on file for second reading.

Senate Bill No. 76—An Act concerning private banks, bankers, and private banking firms.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Assembly Bill No. 6—An Act to add a new section to the Political

Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

First reading refused.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read first time, and placed on file for second reading.

Hon. R. F. Del Valle in the chair.

Senate Bill No. 86—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read first time, and placed on file for second reading.

Senate Bill No. 77—An Act to amend an Act relating to mutual, beneficial, and relief associations.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Senate Bill No. 11—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relating to the advertisement of the capital of insurance corporations.

First reading refused.

Senate Bill No. 165—An Act to empower the State Board of Education to preserve and protect the rights of the State of California in and to the text-books to be adopted by said Board.

Mr. Perry asked leave to withdraw this bill.

So ordered.

Senate Bill No. 111—An Act to provide for the construction of a public morgue in the City and County of San Francisco.

Mr. Lynch asked leave to withdraw this bill.

So ordered.

Senate Bill No. 104—An Act to encourage and provide for a general vaccination in the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and foods and drugs, to prevent the adulteration of the same.

Read first time, and placed on file for second reading.

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read first time, and placed on file for second reading.

Senate Bill No. 54—An Act to authorize the establishment of a quarantine station for the Harbor of San Francisco, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 128—An Act to authorize and provide for the erection of buildings to be used as health offices and morgues, in the various counties, cities, and cities and counties, of the State of California.

At request of the author, this bill was withdrawn.

Senate Bill No. 146—An Act to further the rights of inmates of insane asylums.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 17—Relative to bill in Congress known as the "Reagan Act."

The question being on the adoption of the resolution, the ayes and noes were demanded by Senators Lynch, Spencer of Stanislaus, and Taylor.

Roll called, and the resolution lost by the following vote:

AYES—Messrs. Cox, Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Spencer of Stanislaus, Steele, and Taylor—10.

NOES—Messrs. Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Vrooman, and Whitney—17.

Senate Bill No. 56—An Act to promote agricultural industry.

First reading refused.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchases of public lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 8—Relative to tariff on raisins.

At request of the author, this resolution was withdrawn.

Assembly Concurrent Resolution No. 4—Relative to a tariff on raisins.

Adopted.

Assembly Concurrent Resolution No. 7—Relative to Federal Post Office building in San Francisco.

Adopted.

Senate Bill No. 4—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use.

Read first time, and placed on file for second reading.

Senate Bill No. 65—An Act to amend section two hundred and eighty-seven, chapter one, title five, of Code of Civil Procedure.

First reading refused.

Senate Bill No. 8—An Act to amend sections one thousand nine hundred and sixty-nine and one thousand nine hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to obligations of the employer.

Read first time, and placed on file for second reading.

Senate Bill No. 194—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of James W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to James W. Marshall during his lifetime.

Read first time, and placed on file for second reading.

Senate Bill No. 197—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Upon the question, "Shall this bill be read the first time?"

The ayes and noes were demanded by Senators Kellogg, Lynch, and Vrooman.

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Kelly, Lowe, Mahler, Palmieri, Parkinson, Perry, Routier, Steele, Taylor, and Whitney—18.

NOES—Messrs. Cox, Kellogg, Lynch, Spencer of Stanislaus, and Vrooman—5.

Senate Bill No. 197 read first time, and placed on file for second reading.

Senate Bill No. 204—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand eight hundred and twenty-one, in relation to the collection of personal property tax.

Mr. Kellogg asked leave to withdraw the minority report on this bill.
So ordered.

First reading refused.

Senate Bill No. 13—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Mr. Days asked leave to withdraw this bill.

So ordered.

Senate Bill No. 87—An Act concerning corporations doing a savings bank business.

First reading refused.

Senate Bill No. 140—An Act to repeal section five hundred and forty-eight and to amend section five hundred and forty-nine of the Civil Code, and to add a new section to said Civil Code, to be known as section five hundred and fifty-three, in relation to water and canal corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 141—An Act to add a new section to the Civil Code, to be known as section four hundred and ninety-two, in relation to the construction, ownership, and management of railroads.

Read first time, and placed on file for second reading.

Senate Bill No. 142—An Act to repeal section five hundred and twenty-one of the Civil Code, in relation to wagon road corporations.

Mr. Whitney asked leave to withdraw this bill.

So ordered.

Senate Bill No. 147—An Act for the preservation of human life, and to prevent accidents by and on street railway cars or vehicles running on and through the streets of the cities and towns of the State of California, and to compel the use of guards and safety devices on such conveyances.

First reading refused.

Senate Bill No. 149—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become section six hundred and thirty-six, relating to the examination by the Insurance Commissioners of insurance companies not organized under the laws of this State.

Senate Bill No. 150—An Act to amend section three hundred and thirty-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the levying of assessments of corporations.

Mr. Vrooman asked leave to withdraw Senate Bills Nos. 149 and 150.
So ordered.

Senate Bill No. 151—An Act to amend section six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, so as to prescribe the time for publishing the statement of insurance companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 148—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become section six hundred and thirty-seven, relating to the reinsurance of risks by insurance companies authorized to transact business in this State.

Read first time, and placed on file for second reading.

Senate Bill No. 67—An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets, within municipalities.

Read first time, and placed on file for second reading.

Senate Bill No. 177—An Act to provide for the disposal of dead bodies by cremation.

Read first time, and placed on file for second reading.

Senate Bill No. 220—An Act to reimburse John Marty, Albert Grubbs, and Theodore Dosh, for services rendered the State of California on the State Capitol grounds.

First reading refused.

Senate Bill No. 45—An Act to repeal section sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the marriage of white persons with negroes or mulattos.

Read first time, and placed on file for second reading.

Senate Bill No. 200—An Act to create and establish a State Board of Sheep Husbandry, and to appropriate money for the expenses thereof.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 7—Relative to the protection and promotion of the viticultural industries of the State of California, and other States of the Union.

Adopted.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Creighton moved to suspend the rules and take up, out of order, Senate Bill No. 213, and read same first time.

Ayes and noes demanded on the motion, by Senators McClure, Palmieri, and Creighton.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Creighton, DeLong, Del Valle, Dougherty, Drum, Filcher, Kellogg, Lynch, Mahler, McClure, Palmieri, Parkinson, Routier, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—18.

NOES—Messrs. Boone, Cox, Foster, Kelly, Lowe, and Whitney—6.

Senate Bill No. 213—An Act to add a new section to the Political Code, to be numbered four hundred and seventy-five, relative to deposits with banks, bankers, trust companies, and savings and loan societies.

Read first time, and placed on file for second reading.

Mr. Parkinson moved to suspend the rules, and take up and consider Senate Bill No. 239, out of order.

Lost.

At nine o'clock and thirty-four minutes P. M., Mr. Drum moved to adjourn.

Lost.

Mr. Boone moved to suspend the rules, and take up and consider Senate Bill No. 222, out of order.

Lost.

Senate Bill No. 78—An Act to create a permanent Code Commission.

Read first time, and placed on file for second reading.

Senate Bill No. 66—An Act to provide for making proof of wills during the lifetime of testator.

First reading refused.

Senate Bill No. 101—An Act authorizing certain corporations to act as executors, administrators, guardians, trustees, agents, depository, or receiver.

Read first time, and placed on file for second reading.

Senate Bill No. 84—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property.

Read first time, and placed on file for second reading.

President Daggett in the chair.

Senate Bill No. 85—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Read first time, and placed on file for second reading.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code, approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Read first time, and placed on file for second reading.

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Read first time, and placed on file for second reading.

Senate Bill No. 94—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said city and cities and counties.

Read first time, and placed on file for second reading.

Senate Bill No. 3—An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities, of the State, to regulate Supervisor electoral districts.

Read first time, and placed on file for second reading.

Senate Bill No. 6—An Act to provide for the payment into the treas-

uries of counties, and cities and counties, certain fees and percentages collected by Sheriffs of said counties, and cities and counties.

Read first time, and placed on file for second reading.

Senate Bill No. 172—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to bribery.

Read first time, and placed on file for second reading.

Senate Bill No. 173—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Read first time, and placed on file for second reading.

Mr. Taylor moved to continue the first reading file until adjournment.

So ordered.

At ten o'clock P. M. Mr. Routier moved to adjourn.

Ayes and noes demanded on the motion, by Senators Boone, Kellogg, and DeLong.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Cross, Dougherty, Drum, Kellogg, Lynch, Palmieri, Routier, Spencer of Stanislaus, and Steele—10.

NOES—Messrs. Boone, Days, DeLong, Filcher, Foster, Kelly, Lowe, Mahler, McClure, Parkinson, Taylor, Vrooman, Whitney, and Wright—14.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. T. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

Read first time, and placed on file for second reading.

Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Read first time, and placed on file for second reading.

At ten o'clock and two minutes P. M., Mr. Drum moved to adjourn.

Ayes and noes demanded on the motion, by Senators DeLong, Taylor, and Vrooman.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Cox, Creighton, Cross, Dougherty, Drum, Kellogg, Knight, Palmieri, Routier, and Vrooman—11.

NOES—Messrs. Boone, Days, DeLong, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, McClure, Parker, Parkinson, Spencer of Napa, Spencer of Stanislaus, Taylor, Whitney, and Wright—20.

CALL OF THE SENATE.

Mr. Routier moved a call of the Senate.

Ayes and noes demanded on the motion, by Senators Knight, Kellogg, and Boone.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Cross, Dougherty, Drum, Filcher, Kellogg, Knight, Palmieri, Routier, Spencer of Napa, Vrooman, and Wright—12.

NOES—Messrs. Boone, Chandler, Cox, Days, DeLong, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, McClure, Parker, Parkinson, Spencer of Stanislaus, Taylor, and Whitney—19.

At ten o'clock and fifteen minutes P. M., Mr. Dougherty moved to adjourn.

Ayes and noes demanded on the motion, by Senators Kellogg, Vrooman, and Dougherty.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Cross, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Kellogg, Knight, Palmieri, Parker, Routier, Spencer of Stanislaus, Vrooman, and Whitney—14.

NOES—Messrs. Boone, Chandler, Cox, Days, DeLong, Filcher, Foster, Johnson of San Bernardino, Kelly, Lowe, Lynch, Mahler, McClure, Parkinson, Spencer of Napa, Taylor, and Wright—17.

Mr. Spencer of Napa moved that when the Senate adjourns, it adjourns until Tuesday next at eleven o'clock A. M.

Mr. Kellogg moved to amend, by adjourning until to-morrow, at eleven o'clock and thirty minutes A. M.

Lost.

The question recurring on the original motion, the same was lost.

Mr. Taylor moved a call of the Senate.

Lost.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Taylor, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 21, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Ware.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Saxe, McClure, and Parker. Also, to the Committee on Military Affairs.

RECONSIDERATION.

Mr. Whitney moved to reconsider the vote whereby Assembly Bill No. 403 was passed on yesterday.

Mr. Taylor moved to indefinitely postpone the motion to reconsider. So ordered.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Assembly Constitutional Amendment No. 2, and read same first time.

So ordered.

Assembly Constitutional Amendment No. 2—Proposed Amendment to section one, of article thirteen, of the Constitution, relative to taxation on growing crops, etc.

Read first time, and placed on file for second reading.

Mr. Lynch moved to reconsider the vote whereby Assembly Bill No. 12 was passed on yesterday.

Lost.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Concurrent Resolution has been correctly enrolled:

Senate Concurrent Resolution No. 10—Relative to the adulteration of articles of food.

And the same has been placed in the hands of the Governor for his approval.

COX, Chairman.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 219—An Act to amend section one hundred and eighty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and to provide for the temporary filling of any vacancy as to any office or officer named therein or created thereby—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 13, which was re-referred—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County—have had the same under consideration, and respectfully report the same back, without recommendation.

D. SPENCER, Chairman.

PETITION—(OUT OF ORDER).

By Mr. Cross:

To the honorable members of the Senate and Assembly of the State of California:

We, the undersigned women, citizens of the State of California, having no voice, directly or indirectly, in the framing, enacting, or administration of the laws by which we are governed, are deprived of many positions in which our labor could be used with advantage by the State. The wages of women are lower than they would be under full and free competition. Therefore, to open all avenues of employment to women, and particularly for the benefit of those who by the will of God have been bereft of their husbands and support, and thereby forced to labor for the maintenance of their children, that they may have the opportunity of earning an honest subsistence for their families, we pray that the Legislature of California will pass laws granting suffrage to all its women citizens, and declaring them eligible to all office and occupations in the State of California.

To the file.

Mr. Taylor moved a reconsideration of the vote whereby Senate Bill No. 52 was passed on yesterday.

Mr. Whitney moved to indefinitely postpone the motion to reconsider.

So ordered.

REPORT OF A COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 20—Relative to increasing the defenses of and about the Harbor of San Francisco—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Also, Assembly Concurrent Resolution No. 16—Relative to a system of defenses on the Pacific Coast—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

BALDWIN, Chairman.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Also, Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also, Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned railroad land grants.

F. D. RYAN, Chief Clerk,
By A. SMITH, Assistant Clerk.

Assembly Bill No. 37 referred to Committee on Finance.

Senate Bill No. 15 referred to Committee on Enrollment.

Assembly Concurrent Resolution No. 8 referred to Committee on Federal Relations.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Also, Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Also, Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Also, Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

F. D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Assembly Bill No. 458 referred to Committee on Judiciary.

Assembly Bill No. 526 referred to Committee on Finance.

Mr. Mahler moved that Assembly Bill No. 471 be substituted for Senate Bill No. 271.

So ordered.

Mr. Vrooman moved that Assembly Bill No. 35 be placed at head of first reading file.

Lost.

Assembly Bill No. 35 referred to Committee on Corporations.

Mr. Reddy asked leave to withdraw Senate Bill No. 42.

So ordered.

SENATE JOINT RESOLUTIONS.

By Mr. Baldwin: Senate Joint Resolution No. 3—Relating to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the State of all sums by it expended in defense of the United States.

Referred to Committee on Federal Relations.

Also, Senate Joint Resolution No. 4—Relating to a proper adjustment of all accounts of the different States, Territories, and the District of Columbia, with the United States, arising out of the proceedings, under the district tax law of August 5, 1861.

Referred to Committee on Federal Relations.

Mr. Del Valle moved to take up and consider Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State.

Also, Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

FRANK D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Mr. Del Valle moved that Assembly Bill No. 410 be referred to Committee of the Whole.

So ordered.

Assembly Bills Nos. 3 and 4 referred to Committee on Finance.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 74—An Act entitled "An Act to provide for the further management of the State asylums for the insane."

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright—27.

NOES—Mr. Johnson of San Bernardino—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 35—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21,

1872, by adding a new section thereto, to be numbered and known as section four hundred and fifty-one, relating to fraternal and cooperative organizations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Mr. Kellogg offered the following amendment: amend, by striking out of section one, on line two, the words "three persons," and inserting in lieu thereof the words, "one person."

Pending discussion on the above amendment, Mr. Cross moved that the hour of recess be extended until one o'clock and thirty minutes P. M.

So ordered.

Mr. Days moved to take up and consider Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Also, Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

FRANK D. RYAN, Chief Clerk.
By C. S. LONG, Assistant Clerk.

On motion of Mr. Days, Assembly Bill No. 156 was referred to Committee on Claims, to report back forthwith.

Assembly Bill No. 252 referred to Committee on Corporations.

Senator Whitney in the chair.

Consideration of Assembly Bill No. 36 resumed.

The question being on the adoption of the amendment offered by Senator Kellogg, the ayes and noes were demanded by Senators Days, Kellogg, and Reddy.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Beauvais, Days, Filcher, Hurlburt, Johnson of Sonoma, Kellogg, Reddy, and Spencer of Stanislaus—8.

NOES—Messrs. Boone, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Kelly, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—22.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 31—Entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor."

And the same has this day been placed in the hands of the Governor for his approval.

COX, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 252—An Act to amend the Civil Code by adding to part four, division one, a new title, provid-

ing for the incorporation of colleges and seminaries of learning—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLOGG, Chairman.

President Daggett in the chair.

Consideration of Assembly Bill No. 36 resumed.

Mr. Kellogg moved to strike out all of section five of the bill.

So ordered.

Mr. Cross moved to amend section six, on line four, by striking out the words "State Printer," and inserting in lieu thereof the words "Superintendent of State Printing."

So ordered.

Mr. Kellogg moved to strike out all of section seven after the word "month," on line six, down to the word "and," on line seven.

Lost.

Mr. Kellogg moved to strike out all of section eight of the bill.

Lost.

Mr. Kellogg moved to strike out all of section nine.

Mr. Spencer of Napa moved to amend, by striking out all of said section up to and including the word "and."

Amendment accepted, and the motion, as amended, was adopted.

Mr. Beauvais moved to strike out the enacting clause.

Ayes and noes demanded on the motion, by Senators Beauvais, Kellogg, and Boone.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Filcher, Foster, Kellogg, and Mahler—6.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Johnson of Sonoma, Kelly, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—26.

Assembly Bill No. 36, read second time, and the bill, as amended, ordered engrossed, and to a third reading.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 156—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, to pay the amount found by the Sixth Judicial District Court to be due M. Miles and his sureties, for work done under contract in building the State Prison at Folsom—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted for Senate Bill No. 281 on the first reading file.

DOUGHERTY, Chairman.

Mr. Cross moved that at one o'clock and thirty minutes P. M. the Senate adjourn until Tuesday, February 24, 1885, in honor of the memory of George Washington.

Ayes and noes demanded on the motion, by Senators Steele, Mahler, and Filcher.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Kelly, Kellogg, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Vrooman, Wallis, and Wright—22.

NOES—Messrs. Boone, Chandler, Filcher, Hurlburt, Johnson of Sonoma, Lynch, Mahler, Steele, Taylor, and Whitney—10.

Mr. Days moved to substitute Assembly Bill No. 156 in place of Senate Bill No. 281, as recommended by the Committee on Claims.
So ordered.

Mr. Days asked leave to withdraw Senate Bill No. 281.

So ordered.

Mr. Spencer of Stanislaus asked leave to withdraw Senate Bill No. 163.

So ordered.

Mr. Mahler moved to suspend the rules, and take up, out of order, Assembly Bill No. 471, and read same first time.

So ordered.

Mr. Mahler asked leave to withdraw Senate Bill No. 271.

So ordered.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read first time, and placed on file for second reading.

ADJOURNMENT.

At one o'clock and thirty minutes P. M., the President declared the Senate adjourned until Tuesday, February 24, 1885, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 24, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday, February 21, 1885, partially read, and, on motion of Mr. Lowe, further reading was dispensed with, and the Journal approved.

PETITIONS—(OUT OF ORDER).

Mr. Spencer of Stanislaus presented two petitions from residents of Merced County, as follows:

We, the people of Merced County, in mass meeting, ask and demand of our Senators and Assemblymen, and of the present Legislature, to pass Senate Bill No. 210 and Assembly Bill No. 410.

(Signed by forty-six residents of Merced County.)

Referred to Committee of the Whole.

Also, the following:

WHEREAS, It has been brought to the attention of the citizens of Merced County that a petition has been presented from this county to the Legislature of California for the avowed purpose of misleading its members as to the wants of the people of this county on the subject of irrigation; therefore, be it

Resolved, That we, the people of Merced County, in mass meeting assembled, do hereby declare that any attempt to mislead our representatives, or others, into the belief that we, as a county, are opposed to irrigation, is unfair and unjust.

Resolved, That we highly deprecate the unfair manner in which many of our citizens were led to sign the petition referred to, and unite with them in saying it was done under misapprehension.

Resolved, That we heartily indorse Senate Bill No. 210, and Assembly Bill No. 410, and ask for their immediate passage.

Resolved, That a copy of these resolutions be sent to each of our representatives, Hon. J. D. Spencer and Hon. G. G. Goucher.

G. H. FANCHER, Chairman Committee.

H. H. McCLOSKEY, Secretary Committee.

Referred to Committee of the Whole.

Mr. Reddy presented the following petition:

The undersigned, owners of land along the banks of King's River, respectfully represent to your honorable body that the owners of the bank lands, otherwise known as riparian owners, are interested in irrigation as much as others, and respectfully pray your honorable body to pass Senate Bills Nos. 210, 37, 38, 39, 40, and 41.

Referred to Committee of the Whole.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 24, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Bill No. 36—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

SPECIAL ORDERS.

Consideration of Governor's message relative to appointments.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., February 19, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have this day appointed Philip Caduc, of San Francisco, a Pilot Commissioner for the Port of San Francisco, vice Edward N. Laffey, deceased.

Also, J. C. L. Wadsworth, of San Francisco, Insurance Commissioner for the term of four years, vice George A. Knight, whose term expires April 3, 1886.

And I respectfully ask the consent of the Senate to the same.

Very respectfully, etc.,

GEORGE STONEMAN, Governor.

Upon the question, "Will the Senate advise and consent to the appointment of Philip Caduc, of San Francisco, as Pilot Commissioner for the Port of San Francisco, vice Edward N. Laffey, deceased?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Whereupon the President announced the appointment of Philip Caduc as Pilot Commissioner, duly confirmed.

Upon the question, "Will the Senate advise and consent to the

appointment of J. C. L. Wadsworth, of San Francisco, as Insurance Commissioner for the term of four years, vice George A. Knight, whose term expires April 3, 1886?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Parker, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—33.

NOES—Mr. Routier—1.

Whereupon the President announced the appointment of J. C. L. Wadsworth as Insurance Commissioner, duly confirmed.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Senator Knight on account of sickness.

Hon. R. F. Del Valle in the chair.

MEMORIAL.

Mr. Days presented a memorial from the Tax Reform League of California, relating to taxation.

Referred to Committee on Finance.

PETITION.

Mr. McClure presented a petition from the Society Pacific Turn Bezirk, asking for the passage of such bills relating to cremation as are before this Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 24, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 284—To promote drainage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHLER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Whitney: Senate Bill No. 320—An Act to add a section to the Civil Code, relating to insurance.

Referred to Committee on Corporations.

By Mr. DeLong: Senate Bill No. 321—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

By Mr. Parker: Senate Bill No. 322—An Act to amend title thirteen, part one, of the Penal Code, by adding thereto a new section, numbered five hundred and thirty-seven, making it a felony for any person to sell, barter, mortgage, or dispose of any interest or pretended interest in any water right, ditch, or canal, before procuring a valid title to the same.

Referred to Committee on Judiciary.

By Mr. Lowe: Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the insane asylums, in lieu of per diem and expenses.

Referred to Committee on Claims.

REMONSTRANCE.

Mr. Baldwin presented a remonstrance from citizens and taxpayers of the City of Stockton, California, against the passage of Assembly Bill No. 61.

Referred to Committee on Counties, County Governments, and Township Organization.

SPECIAL FILE—THIRD READING OF A BILL.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read second time, ordered engrossed, and placed on file for third reading.

President Daggett in the chair.

Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Section one read second time.

Mr. Reddy moved to make this bill the special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

Mr. Filcher, from the Committee on Public Printing, asked leave to withdraw Senate Bill No. 316, and substitute in lieu thereof another bill relating to the same subject, to be numbered the same.

So ordered.

Senate Bill No. 214—Proposed amendment to article six of the Constitution of the State of California, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Section one read second time, and committee amendments, as follows, adopted: first, strike out the words "twelve thousand," lines nine and ten, of this bill, and insert in lieu thereof the words "nine thousand;" second, strike out the words "four thousand," line eleven, of this bill, and insert in lieu thereof the words "five thousand."

Mr. Vrooman moved to amend, by striking out the word "nine," on line nine, and insert in lieu thereof the word "ten."

Mr. Taylor moved to postpone the further consideration of this bill until immediately after recess.

So ordered.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one, of article thirteen, of the Constitution, relative to taxation of growing crops, etc.

Mr. Spencer of Napa moved to make this bill the special order for to-morrow morning, to follow Assembly Constitutional Amendment No. 15.

So ordered.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Second reading resumed at section fourteen.

Mr. Whitney moved to amend section seventeen, by striking out the words "at the meeting," at end of line eight.

Adopted.

Mr. Johnson of Sonoma moved to amend section eighteen, as follows: on page ten, line eleven, strike out, after the word "first," the words "Saturday of July next succeeding their election," and insert the words "day of July next succeeding their election, or if that day be Sunday, then from the following day."

Adopted.

Senate Bill No. 247 read second time as far as section nineteen, subdivision seven.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

QUESTION OF PRIVILEGE.

Mr. Parkinson arose to a question of privilege. He stated that the Morning Call of San Francisco had him recorded as voting against the passage of Senate Bill No. 20, known as the Fire Insurance Bill; and also, that it had misrepresented him, as he had voted for and urged the passage of said bill.

Consideration of Senate Bill No. 214 resumed.

Hon. R. F. Del Valle in the chair.

The question being on the amendment offered by Mr. Vrooman, to amend on line ten of printed bill, by striking out the word "nine," and inserting in lieu thereof the word "ten."

The ayes and noes demanded by Senators Lynch, Mahler, and Chandler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Drum, Kelly, Palmieri, Parkinson, Reddy, Spencer of Napa, Taylor, and Vrooman—9.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cox, Cross, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, Lynch, Mahler, Parker, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—27.

Mr. Steele offered the following amendment: strike out, on lines ten and eleven, the words "nine thousand," and insert in lieu thereof the words "seven thousand five hundred."

Ayes and noes demanded by Senators Taylor, Reddy, and Mahler.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Cross, Days, DeLong, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lowe, Lynch, Palmieri, Parker, Routier, Saxe, Steele, Wallis, and Wright—22.

NOES—Messrs. Creighton, Del Valle, Drum, Filcher, Kellogg, Mahler, Parkinson, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—14.

Mr. Steele offered the following amendment: in line eleven, strike out the words "five thousand," and insert in lieu thereof the words "three thousand five hundred."

Mr. Cross offered the following amendment to the amendment: strike out, on line eleven, the word "five" and insert in lieu thereof the word "four."

Ayes and noes demanded by Senators Baldwin, Lynch, and Chandler.

Roll called, and the amendment to the amendment carried by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Cross, DeLong, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, Palmieri, Parker, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Wallis, and Wright—25.

NOES—Messrs. Beauvais, Boone, Creighton, Days, Del Valle, Drum, Filcher, McClure, Parkinson, Perry, Steele, Taylor, Vrooman, and Whitney—14.

Mr. Taylor offered the following amendment: amend, by striking out all after the word "each," in line ten, and insert the words "until

otherwise changed by the Legislature, the Superior Judges shall receive an annual salary of four thousand dollars each, payable monthly; except the Judges of the City and County of San Francisco, and the Counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Yuba and Sutter combined, Sacramento, Butte, Nevada, and Sonoma, which shall receive five thousand dollars each."

Ayes and noes demanded by Senators Taylor, Creighton, and Lynch.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Kelly, McClure, Reddy, Routier, Taylor, and Vrooman—14.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cross, Days, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, Lynch, Mahler, Parker, Parkinson, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—23.

Mr. Baldwin offered the following amendment: amend, by striking out all after the word "each," in line ten, and inserting the words "until otherwise changed by the Legislature, the Superior Judges shall receive an annual salary of three thousand dollars each, payable monthly, except the Judges of the City and County of San Francisco, and the Counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Yuba and Sutter combined, Sacramento, Butte, Nevada, and Sonoma, which shall receive four thousand dollars each."

Adopted.

Senate Bill No. 214, read second time, and the bill refused engrossment and third reading.

SPECIAL FILE—THIRD READING.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof—temporarily passed on file this morning—was taken up for consideration, and read third time.

Mr. Kellogg moved to refer this bill to Senator Spencer of Napa, as a committee of one, with special instructions to amend said bill as follows: strike out of section six, line seven, the words "the employment of assistants."

At three o'clock and thirty minutes P. M., under Rule Fifty, the Acting President declared the Senate in Committee of the Whole for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 210—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to

come within title three, of part three, of the Code of Civil Procedure of this State—and reported progress.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 24, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 15—Entitled "An Act to amend section one thousand eight hundred and eighty of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to public schools."

And that the same is now in the hands of the Governor.

COX, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 24, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the insane asylums, in lieu of per diem and expenses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BEAUVAIS, Acting Chairman.

Consideration of Assembly Bill No. 36 resumed.

The question being on the motion of Mr. Kellogg, to refer this bill to Senator Spencer of Napa, as a committee of one, with special instructions to amend said bill as follows: strike out of section six, line seven, the words "the employment of assistants."

The ayes and noes were demanded by Senators Kellogg, Johnson of San Bernardino, and Drum.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cross, Days, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, Mahler, McClure, Parker, Saxe, Spencer of Stanislaus, and Steele—18.

NOES—Messrs. Cox, Creighton, DeLong, Del Valle, Dougherty, Drum, Filcher, Kelly, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—20.

The question being on the passage of the bill, the same was passed by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—26.

NOES—Messrs. Beauvais, Boone, Cross, Filcher, Hurlburt, Johnson of San Bernardino, Langford, Mahler, Parker, and Spencer of Stanislaus—10.

Title read and approved.

Mr. Kellogg gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Assembly Bill No. 36 was passed.

PETITIONS—(OUT OF ORDER).

Mr. Reddy presented a petition from citizens of Fresno County, representing that they are satisfied with the bills before the Senate, and praying for the passage of the same.

Also, a petition from citizens and land owners of Kern County, protesting against the passage of Senate Bill No. — Entitled "An Act to establish a Commission to examine and report upon water rights and irrigation in the State of California."

Consideration of Senate Bill No. 247 resumed:

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Second reading resumed at section nineteen, subdivision eight.

Mr. Whitney moved to strike out of section nineteen, line thirty-three, the following words, "sectarian, partisan, or denominational," and insert in lieu thereof the words "immoral or unpatriotic."

Lost.

On motion of Mr. Johnson of Sonoma, section twenty-five was amended by inserting, after the word "Superintendent," on line eight, the words "of schools."

On motion of Mr. Johnson of Sonoma, section twenty-six was amended, by inserting after the word "Superintendent," on line fifteen, the words "of schools."

On motion of Mr. Johnson of Sonoma, section twenty-seven was amended, by striking out, on line five, the word "State," between the words "California" and "Normal."

On motion of Mr. Whitney, section thirty-six of the bill was stricken out.

On motion of Mr. Johnson of Sonoma, the following amendment, to precede section nineteen, was adopted:

SEC. 19. Section one thousand six hundred and twelve of said Code is hereby amended so as to read as follows:

1612. In school districts newly organized, or in cases of vacancies, for any cause, in an old one, three School Trustees must be elected, to hold office for one, two, and three years respectively, from the first day of July next succeeding their election, except when that day falls on Sunday, and then from the next day.

On motion of Mr. Johnson of Sonoma, the following amendment, to follow the last amendment, was adopted:

Section one thousand six hundred and thirteen of said Code is amended so as to read as follows:

1613. The term of office of School Trustees is three years from the first day of July next succeeding their election, except when the first day falls on Sunday, and then from the next day.

On motion of Mr. Whitney, a new section was added, as follows.
Add a new section:

Sec. 36. Section one thousand eight hundred and seventy-six of said Political Code is amended to read as follows:

1876. No School Trustees or members of any Board of Education must be interested in any contract made by the Board of which he is a member, nor shall he furnish supplies for the use of a district, or deal in any claim against the school funds of his district. Any contract or claim contravening the provisions of this section shall be void.

Mr. Whitney offered the following amendment: amend section eight, by inserting, after the word "District," on line nineteen, the following: "each order of the Board of Trustees, or Board of Education, shall be accompanied by a duplicate thereof, in all respects like the original, but distinctly marked across the face thereof "Duplicate;" and such duplicate shall be attached to the warrant when issued, and no warrant shall be paid by the County Treasurer, unless accompanied by such duplicate. The warrants must be drawn in the order in which the orders therefor are filed in his office."

ADJOURNMENT.

Pending debate on the above amendment, at five o'clock and fifty-five minutes P. M., on motion of Mr. Taylor, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 25, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain. .

Journal of yesterday read and approved.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. McClure moved to suspend the rules, and take up and consider Assembly Bill No. 290, out of order.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the con-

veyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Read second time, and placed on file for third reading.

Mr. Johnson of Sonoma moved to suspend the rules, and take up, out of order, Assembly Bill No. 421, and read same first time.

So ordered.

Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law in the University of the State of California,'" approved March 26, 1878.

Read first time, and placed on file for second reading.

Mr. Chandler moved to suspend the rules and take up, out of order, Senate Bill No. 285, and read same first time.

So ordered.

Senate Bill No. 285—An Act to amend section two thousand six hundred and eighty-two of the Political Code, relative to roads and highways.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 289—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also, Assembly Concurrent Resolution No. 14—Relative to the adulteration of food.

Also, Senate Bill No. 126—An Act relating to the adulteration of food and drugs.

Also, Senate Bill No. 209—An Act to amend an Act entitled "An Act to establish a Political Code," relating to Boards of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SAXE, Acting Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were referred Senate Bills Nos. 166 and 292—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Mr. DeLong moved to amend section one, by inserting, after the word "taxation," in line eight, page one, the following words: "Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty."

Mr. Dougherty moved to take up and consider Assembly messages so far as they relate to Senate Bill No. 20.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of Standing Committees were presented, considered read, and bills ordered placed on file:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 5—An Act amending sections one, four, and ten, of article thirteen, of the Constitution.

Also, Senate Bill No. 53—An Act amending sections one, four, and ten, of article thirteen, of the Constitution.

Have had the same under consideration, and report the same back, without recommendation.

Also, Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 4—An Act to determine the amount and provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Also, Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Also, Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Assembly Bill No. 93—An Act making an appropriation for the purchase of Supreme Court Reports for the thirty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended by the committee.

Also, Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Also, Assembly Bill No. 306—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary to State Engineer for the thirty-fifth and thirty-sixth fiscal years.

Have had the same under consideration, and recommend that they do pass.

Also, Senate Bill No. 191—An Act relating to revenue and taxation.

Also, Senate Bill No. 192—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Also, Senate Bill No. 202—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

VROOMAN, Acting Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 280—Entitled "An Act to restrict the use of granite produced from the quarries

of the State, and to provide a penalty for a violation of the same"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

REDDY, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 167—An Act to regulate the practice of pharmacy, the sale of medicines and poisons, to provide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same—have had the same under consideration, and respectfully report the same back and recommend that it do pass, as amended by the committee.

SAXE, Acting Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February —, 1885.

MR. PRESIDENT: Your Committee on Roads and Highways respectfully report that we have considered Senate Bill No. 303, which was referred to us—An Act entitled "An Act to amend section two thousand six hundred and forty-two of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to Road Overseers and Road Commissioners"—and we now report the same back, with a substitute therefor, and recommend the passage of the substitute.

LANGFORD, Chairman.

Pending debate on amendment offered by Mr. DeLong, the hour of recess arrived, whereupon the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Mr. Saxe asked leave to withdraw Senate Bill No. 233.

So ordered.

Mr. Spencer of Napa asked leave to withdraw Senate Bills Nos. 156 and 157.

So ordered.

Consideration of Assembly Constitutional Amendment No. 15 resumed.

The question being on the amendment offered by Mr. DeLong, the ayes and noes were demanded by Senators Spencer of Napa, DeLong, and Lynch.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Baldwin, Chandler, Cox, Filcher, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—9.

Mr. Days offered the following amendment: amend, by inserting after the word "tax," line eleven, section one of the printed bill, the following words: "The Legislature may further provide for the exemption from taxation of machinery and tools in use in manufacturing."

After debate, the ayes and noes were demanded by Senators Days, Kellogg, and Langford.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Days, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Lynch, McClure, Parker, Parkinson, Perry, Routier, Saxe, and Whitney—13.

NOES—Messrs. Badwin, Beauvais, Chandler, Cox, Craghton, Cross, DeLong, Del Valle, Dougherty, Drum, Farmer, Foster, Johnson of Sonoma, Kelly, Langford, Mahler, Palmer, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wains, and Wright—25.

Mr. Days offered the following amendment: "The Legislature may further provide for the exemption from taxation of household furniture in actual use and belonging to any one person or family, not exceeding in value the sum of two hundred and fifty dollars."

Ayes and noes demanded by Senators Filcher, Days, and Parker.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Craghton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Mahler, Palmer, Parker, Routier, and Saxe—18.

NOES—Messrs. Badwin, Beauvais, Chandler, Cox, Foster, Kellogg, Lowe, Lynch, McClure, Parkinson, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—19.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

Mr. Cross, Chairman of Committee on Judiciary, presented the following report, which was considered read, and bills placed on file:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your committee have had under consideration Senate Bill No. 278—Entitled "An Act to enable John Houghland, James Reid, Mrs. Rebecca C. Houghland, George Cooper, William B. Toddhunter, Mrs. Mary W. G. Van Arsdall, Henry Lustberger, Christopher Green, and Charles Trauer, to sue the State of California"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 272—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 12, 1872, by adding a new section thereto, relating to service in civil or criminal proceedings, and to be numbered section one thousand and eighteen"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 268—Entitled "An Act to abolish the office of State Board of Railroad Commissioners"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 269—Entitled "An Act to amend section eight hundred and forty-nine of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the service of summons in Justices' Courts"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 239—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, by adding a new section thereto, to be known and numbered as section two hundred and seventy-three, relative to the control, care, and custody of minor children"—and do now report the same back to the Senate, with amendments thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 242—Entitled "An Act to propose an amendment to section one, of article thirteen, of the Constitution, relating to revenue and taxation"—and do now report the same back to the Senate, without recommendation.

Also, Senate Bill No. 246—Entitled "An Act to establish the office of Public Defender in cities and counties, and counties having over one hundred thousand inhabitants, and to provide for his compensation and duties"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 252—Entitled "An Act to repeal section five of 'An Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino,' approved February 14, 1878"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 274—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' by amending section one thousand and forty-six thereof, relating to forming

juries in criminal cases"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 298—Entitled "An Act concerning the residence of Notaries Public"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Assembly Bill No. 23—Entitled "An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit, or otherwise"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Assembly Bill No. 88—Entitled "An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 458—Entitled "An Act to amend section five hundred and eighty-one of the Code of Civil Procedure"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Concurrent Resolution No. 21—"Relative to authorizing and instructing the Secretary of State to forward to each United States District Court for California, Oregon, and Nevada, and to the United States Circuit Court of the Ninth Judicial Circuit, sets of the California Statutes and of the California Supreme Court Reports"—and do now report the same back to the Senate, and recommend that it do pass.

CROSS, Chairman.

Mr. Del Valle moved to reconsider the vote whereby amendment number one, offered by Mr. DeLong, was adopted.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That the rules be suspended temporarily for this day only, and that the Senate continue the consideration of the bill now under discussion, and then to consider bills upon the regular file.

Ayes and noes demanded by Senators Del Valle, Reddy, and Lynch. Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—29.

NOES—Messrs. Del Valle, Filcher, Johnson of San Bernardino, Lynch, Mahler, Reddy, Spencer of Stanislaus, and Whitney—8.

Consideration of Assembly Constitutional Amendment No. 15 resumed:

Mr. Spencer of Napa offered the following amendment: amend section ten, line sixteen, page two, by inserting after the word "Equalization," the following words: "under such rules and regulations as may be prescribed by said Board; *provided, however*, that the Legislature may at any time pass laws prescribing said rules and regulations, and also all laws necessary to carry out the provisions of this article."

Mr. McClure moved to amend the amendment, by striking out all after the word "regulations," where the word appears the second time in the amendment.

Amendment accepted by the author.

The amendment, as amended, adopted.

Mr. Spencer of Napa offered the following amendment: amend section ten, line thirty-nine, page three, by inserting, after the word "State," the following words: "The taxes herein provided for, together with such penalties as the Legislature may impose for the non-payment thereof, shall be a lien upon the property hereinbefore in this section designated, and may be enforced in such manner as the Legislature may by law prescribe."

Adopted.

Mr. Filcher moved to amend, by striking out of section ten, line nine, the words, "fences, roundhouses, stations, and their appurtenances."

After debate, the ayes and noes were demanded by Senators Reddy, Langford, and Johnson of San Bernardino.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Steele—14.

NOES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright—24.

Mr. Filcher moved to amend, by striking out of section ten, line one, the words "railroad property," and inserting instead, the following words, "as hereinafter provided."

Mr. McClure moved to amend the amendment, by inserting after the words "railroad property," on line one, the words "as hereinafter provided."

Amendment accepted by Mr. Filcher.

Amendment, as amended, adopted.

Mr. Langford offered the following amendment to section one: amend, by inserting, in line five, after the word "crops," the following words, "wheat in transit."

Amendment lost, on a division of the Senate—ayes, 6; noes, 19.

Mr. Reddy offered the following amendment: amend section ten, on line five, after the word "of," strike out the words "two and one half," and insert the word "four."

Ayes and noes demanded by Senators Reddy, Lynch, and Spencer of Stanislaus.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Del Valle, Filcher, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—7.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—31.

Mr. Cox offered the following amendment: amend section ten, line five, printed bill, by striking out the words "two and a half," and inserting the word "three," so that it shall read, "an annual tax of three per cent."

Ayes and noes demanded by Senators Reddy, Cox, and Spencer of Stanislaus.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lynch, Mahler, Parker, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—18.

NOES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, and Wright—20.

Mr. Lynch offered the following amendment to section ten: amend line five, by striking out the words "two and a half," and inserting in lieu thereof the words "three and a half."

Ayes and noes demanded by Senators Lynch, Filcher, and Reddy.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Del Valle, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus—10.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—28.

Mr. Del Valle offered the following amendment: strike out of section one, line one, the words "except railroads."

Ayes and noes demanded by Senators Reddy, Del Valle, and Lynch.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Del Valle, Filcher, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—8.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—30.

Mr. Del Valle offered the following amendment: strike out section ten.

Ayes and noes demanded by Senators Del Valle, Reddy, and Lynch.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—9.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—29.

Mr. Cox offered the following amendment: amend section ten, in line five, after the word "of," strike out the words "two and a half," and insert the words "two and three fourths" per cent.

Ayes and noes demanded, by Senators Baldwin, Days, and Reddy.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lynch, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, and Whitney—16.

NOES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, and Wright—22.

Mr. Spencer of Napa offered the following amendment, to be added to end of bill: "This amendment shall not take effect until the first day of January, 1886, and shall not be construed to affect any assessment heretofore levied or tax due thereon, rights already accrued, or any action or proceeding begun or to be begun, relating to such assessment or tax."

Ayes and noes demanded by Senators Lynch, Reddy, and Del Valle.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Chandler, Cox, Cross, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, Taylor, and Whitney—16.

NOES—Messrs. Beauvais, Boone, Creighton, Davis, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, and Whitney—23.

Upon the question, "Shall this bill be engrossed and read a third time?"

The ayes and noes were demanded by Senators Lynch, Days, and Filcher.

Roll called, and the bill ordered engrossed, and to a third reading, by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Baldwin, Cox, Del Valle, Filcher, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—9.

Mr. Kellogg moved to reconsider the vote whereby Assembly Bill No. 36 was passed on yesterday.

Lost.

Mr. Taylor moved to take up and consider Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following bills, viz.: Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Also, Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds for thirty-second fiscal year.

Also, Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for thirty-fourth fiscal year.

Also, Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Also, Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for the thirty-third fiscal year.

Also, Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Also, Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Also, Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Also, Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Also, Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Also, Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Also, Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Also, Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Also, Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Also, Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Also, Assembly Concurrent Resolution No. 22—Relative to placing U. S. Grant on the retired list.

Also, Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising and subdividing into new sections section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and

sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Also, Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Also, Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties.

Also, Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water.

Also, Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage; and of all claims of right based upon appropriations, diversions, and utilization laws or customs; to provide for the recording thereof according to an approved and generally uniform system; and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case.

Also, Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

Also, Assembly Bill No. 403—An Act to establish a branch Normal School in Northern California, to maintain the same, and appropriate money therefor—have respectfully refused to concur in Senate amendments thereto, and respectfully ask the Senate to recede from the same.

FRANK D. RYAN, Chief Clerk.
A. SMITH, Assistant Clerk.

Assembly Bills Nos. 205, 206, 207, 227, 229, 230, 231, 232, 233, 234, 236, 167, 168, 291, 292, and 346 referred to Committee on Finance.

Assembly Bill No. 312 referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 22 referred to Committee on Federal Relations.

Substitute for Assembly Bill No. 72 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 216 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 163 referred to Committee on Agriculture.

Assembly Constitutional Amendment No. 3 referred to Committee of the Whole.

Assembly Bill No. 170 referred to Committee of the Whole.

Assembly Bill No. 169 referred to Committee on Fish and Game.

Mr. Taylor moved to make Assembly Bill No. 403 the special order for to-morrow morning, immediately after reading the Journal.

Ayes and noes demanded by Senators Taylor, Cox, and DeLong.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Johnson of Sonoma, Lynch, Mahler, McClure, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—20.

NOES—Messrs. Beauvais, Chandler, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Langford, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, and Spencer of Stanislaus—17.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 20—An Act to require the payment of certain premiums to counties and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums—with amendments.

FRANK D. RYAN, Chief Clerk.

Mr. Perry moved that the Senate do now concur in the amendments of the Assembly to Senate Bill No. 20.

So ordered.

At five o'clock and forty-three minutes P. M. Mr. Steele moved to adjourn.

Lost.

Mr. Whitney moved to make Senate Bill No. 20 the special order for to-morrow, at two o'clock P. M.

Lost.

Amendments of the Assembly to Senate Bill No. 20:

1. Amend section one by inserting, after the word "corporation," on line four, as printed, the words "or company."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—35.

NOES—Messrs. Langford, Parker, and Whitney—3.

2. And by striking out the words "individual or association of individuals," on line nine, and inserting in lieu thereof the words "corporations or company."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—34.

NOES—Messrs. Langford and Whitney—2.

3. And by striking out the words "individual or association," on lines ten and eleven, and inserting, in lieu thereof, the words "corporation or company."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—33.

NOES—Messrs. Langford and Whitney—2.

4. And by striking out the words "individual or association," in line twelve, and inserting in lieu thereof the words "corporation or company."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—31.

NOES—Messrs. Langford and Whitney—2.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 22—Relating to placing General U. S. Grant on the retired list—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BALDWIN, Chairman.

Mr. Baldwin moved the adoption of the resolution.
Adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: I am directed to inform your honorable body, that the Assembly, on this day, passed Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Also, Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchaser.

FRANK D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Assembly Bill No. 171 referred to Committee of the Whole.

Assembly Bill No. 295 referred to Committee on Public, Swamp, and Overflowed Lands.

Mr. Taylor gave notice that, on to-morrow, he would move to amend Rule Eight.

RESOLUTION.

By Mr. Cross:

Resolved, That the Senate have an evening session at seven o'clock and thirty minutes P. M. to-day, at which no business shall be transacted except the first reading of bills in their order on the general file.

Mr. Lynch moved to amend, by making the time eight o'clock P. M. The President decided that the shortest time should be put first.
Resolution adopted.

Mr. Boone moved to take up the Governor's message.
So ordered.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., February 25, 1885. }

To the Senate of the State of California:

MR. PRESIDENT: I respectfully transmit herewith a memorial from a committee appointed by the Encampment of the Department of California, Grand Army of the Republic, requesting an appropriation to aid in defraying the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State in the year A. D. 1886.

After due consideration of the matter, I am convinced that aid should be extended to this object. In addition to the patriotic sentiments which such a gathering would inspire in the hearts of the people, I believe that it would be of incalculable benefit to our commonwealth in disseminating a knowledge of the resources of this State, and its advantages as a place of residence, thus promoting a much needed immigration of desirable citizens.

I therefore respectfully recommend an appropriation of twenty-five thousand dollars for the purposes indicated in the memorial.

GEORGE STONEMAN,
Governor of the State of California.

SACRAMENTO, CALIFORNIA, February 25, 1885.

To his Excellency George Stoneman, Governor of the State of California:

SIR: The undersigned, a committee appointed by the organization known as the Department of California, Grand Army of the Republic, respectfully represent that we have been instructed to apply to the Legislature of this State for an appropriation to aid in defraying the expenses of a public nature incident to the holding of the National Encampment of the Grand Army of the Republic in the State of California, in the year 1886. As reasons for making said appropriation, we respectfully submit the following:

The Grand Army of the Republic is an organization having a membership of nearly four hundred thousand ex-soldiers and sailors of the Union armies, and exceeding in numbers, on this coast, four thousand three hundred. We believe that such a representation could be secured from this organization as would be of great advantage to the whole State: bringing, as it would, many thousands of people from the other States of the Union, a large number of whom would undoubtedly become permanent residents. To accomplish this purpose will require the expenditure of a larger sum of money than could be raised by private contribution. The State of Maryland appropriated thirty thousand dollars for the purpose of securing the Encampment at Baltimore, and Colorado made an appropriation of twenty-three thousand dollars to assist in defraying the expenses of the Encampment held at Denver: other States are now offering inducements by assuring large appropriations for the holding of the Encampment of 1886 within their borders.

An invitation to hold the National Encampment of 1886 in California has been extended by the Department Encampment of California to the National Encampment, which convenes in Portland, Maine, in June next, at which time the question as to where the said Encampment will be held is to be determined.

We already have the assurance of very advantageous facilities from all lines of transportation in the way of greatly reduced passage rates, and, with an appropriation of twenty five thousand dollars from this State, we will be able to successfully carry out our plans.

We therefore respectfully urge upon you, as the Chief Executive of this State, to assist us, by recommending the Legislature to make such appropriation.

The fact that the Department Encampment of California did not convene until the eighteenth instant, closing its session on Saturday last, is the reason this memorial could not sooner be presented.

Respectfully,

R. H. WARFIELD,
T. H. GOODMAN,
C. MASON KINNE,
CHARLES E. WILSON,
B. O. CARR,
WALTER H. HOLMES,
SAMUEL W. BACKUS,
JAMES A. WAYMIRE,
W. H. SEAMANS,
Committee.

INTRODUCTION OF A BILL—(OUT OF ORDER).

Mr. Boone asked leave to introduce a bill out of order.

So ordered by unanimous consent.

Senate Bill No. 324—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Mr. Days moved that the rules be suspended, and that Senate Bill No. 324 be taken up, out of order, and read the first time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—28.

NOES—None.

FIRST READING OF BILL.

Senate Bill No. 324—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Read first time.

Mr. Boone moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Senate Bill No. 324 be declared a case of urgency, and read second time.

RECESS.

At six o'clock p. m. Mr. Cross moved to take a recess until seven o'clock and thirty minutes p. m.

So ordered.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled. Hon. David McClure in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Chandler, Cross, Days, DeLong, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Stanislaus, Wallis, Whitney, and Wright.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Kellogg.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Passed on file.

Senate Bill No. 231—An Act to establish the California Home for the care and training of feeble-minded children.

Passed on file.

Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing, and appropriating money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the Insane Asylums, in lieu of per diem and expenses.

Read first time, and placed on file for second reading.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 49—An Act concerning common carriers of water, and to define their duties.

Read first time, and placed on file for second reading.

Senate Bill No. 75—An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation due Captain John Mullan in collection of claims.

Mr. Taylor moved to take up the Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, February 25, 1885. }

To the honorable the Senate of the State of California :

MR. PRESIDENT: I am in receipt of a communication from the City of Washington, D. C., in reference to the claims of this State against the Federal Government, a copy of which I herewith transmit. It appears from said dispatch, that the deficiency appropriation bill recently favorably reported to the House of Representatives contains a provision "that the Treasury Department shall not receive, examine, or consider any claim against the United States unless filed within one year from the passage of said Act, and if not so filed within said time, such claims shall be forever barred." In view of the fact that this State has claims, deemed to be just, against the Federal Government, amounting to hundreds of thousands of dollars in the aggregate, it is of the greatest importance that provision should be made by law or joint resolution by the Legislative Assembly now in session to have some one represent the State at Washington in filing and collecting the claims due the State from the Federal Government.

I therefore recommend that you take such action in the premises as the importance of the matter demands.

GEORGE STONEMAN, Governor.

WASHINGTON, February 21, 1885.

To Hon. George Stoneman, Governor of California, Sacramento :

Deficiency appropriation bill favorably reported yesterday with every certainty of passing, contains the following provision: That the Treasury Department shall not receive, examine, or consider any claims against the United States unless filed within one year from the passage of said Act, and if not filed within said time, such claims shall be forever barred. Wherefore it may prove of the utmost importance to California that the present Legislature pass Senate Concurrent Resolution No. 3, so that all California's old war and other claims now existing be filed within the next year, or be forever lost before another Legislature can convene.

JOHN MULLAN, State Agent.

Senate Committee Amendment to the Preamble of Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan, in collections of claims due the State of California from the United States :

WHEREAS. The Governor and State Surveyor-General of this State, respectively, have heretofore appointed Captain John Mullan of San Francisco, California, agent and attorney to represent the State of California before the proper authorities of the United States at Washington, D. C., in the matter of the claims of the State of California against the United States, growing out of past Indian hostilities, and for interest on moneys heretofore expended by this State on account of military operations herein and borders hereof, and in recovering all land fees heretofore illegally paid to the United States by this State; and whereas, in pursuance of Concurrent Resolution No. 12, adopted February 26, 1881, and in pursuance of Assembly Joint Resolution No. 30, adopted March 9, 1872, James E. Hale and Thomas M. Nosler were duly appointed and commissioned agents on behalf of the State of California and the Governor thereof, by themselves and their duly constituted agents, to collect from the Government of the United States, the cost, charges, and expenses properly incurred by the State of California for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection against the United States; and whereas, said James E. Hale and Thomas M. Nosler have duly constituted said Captain John Mullan their agent and attorney in pursuance of the foregoing authority conferred on them, in their names, places, and stead, to demand and receive all said moneys from said Government of the United States and in and about the said premises to act as their agent therein; therefore, be it."

Committee amendment adopted.

On motion of Mr. Whitney, the resolution, as amended, was adopted.

Assembly Concurrent Resolution No. 6—Relative to viticultural industries.

On motion of Mr. Whitney, the resolution was adopted.

Senate Bill No. 195—An Act providing for the payment of a balance of a judgment due in favor of Trustum C. Gilman against the County of Contra Costa.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Senate Bill No. 215—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company F, Second Infantry Regiment, Second Brigade, National Guard California, pursuant to Special Order Number Twenty-six, series 1880, issued from General Headquarters.

Read first time, and placed on file for second reading.

Senate Bill No. 162—An Act to prohibit the burial of dead bodies within the corporate limits of cities, towns, and cities and counties, and to provide for burials in other places.

First reading refused.

Senate Bill No. 178—An Act to amend title five, chapter one, of the Political Code, by adding thereto a new article, to be known as article seven.

Read first time, and placed on file for second reading.

Senate Bill No. 272—An Act to amend sections two thousand two hundred and eighteen and two thousand two hundred and twenty-two of "An Act to establish a Political Code," approved March 12, 1872, relative to the care by Sheriffs of insane persons.

Read first time, and placed on file for second reading.

Senate Bill No. 238—An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools.

First reading refused.

Assembly Concurrent Resolution No. 13—Relative to homestead settlers on public lands.

On motion of Mr. Days, this resolution was indefinitely postponed.

Senate Bill No. 234—An Act for the suppression of vagrancy, to be known as the "Tramp Act."

Mr. Saxe asked leave to withdraw this bill.

So ordered.

Senate Bill No. 189—An Act to repeal chapter four hundred and twenty-nine of the Political Code, entitled "An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers."

First reading refused.

Senate Bill No. 123—An Act to provide for payment for private property heretofore taken for public use.

Read first time, and placed on file for second reading.

Assembly Bill No. 63—An Act to provide for the transfer from the State to municipal corporations.

First reading refused.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Read first time, and placed on file for second reading.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Senate Bill No. 96—An Act adding a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 31, 1872, to be and become section three hundred and ninety thereof, and relating to parties to actions and proceedings, especially the representative capacity of administrators, executors, and guardians as parties.

Read first time, and placed on file for second reading.

Senate Bill No. 102—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to undertakings on attachments in civil cases.

Read first time, and placed on file for second reading.

Senate Bill No. 103—An Act to amend section four hundred and eighty-two of the Code of Civil Procedure of the State of California, relating to undertakings on arrest and bail in civil actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read first time, and placed on file for second reading.

Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Senate Bill No. 121—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, section one.

Read first time, and placed on file for second reading.

Senate Bill No. 122—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Passed on file.

Senate Bill No. 205—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in relation to appeals to Superior Courts.

Read first time, and placed on file for second reading.

Senate Bill No. 206—An Act to amend section nine hundred and sixty-four of the Code of Civil Procedure, in relation to appeals to Supreme Court.

Read first time, and placed on file for second reading.

Senate Bill No. 153—An Act to amend section eight hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to place of trial of actions in Justices' Courts.

Read first time, and placed on file for second reading.

Senate Bill No. 129—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquors to patients in county hospitals.

Senate Bill No. 130—An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting.

Mr. Mahler asked leave to withdraw the above bills (Nos. 129 and 130).

So ordered.

Senate Bill No. 136—An Act to amend chapter five, part one, of the

Code of Civil Procedure, and each and every article and section thereof, and substituting a new chapter five to take the place thereof in said Code, relating to Justices' Courts.

Mr. Whitney asked leave to withdraw this bill.

So ordered.

Senate Bill No. 143—An Act to add a section to the Political Code, to be known as section two thousand two hundred and twenty-three, concerning preservation of testimony taken upon examination of persons alleged to be insane.

Read first time, and placed on file for second reading.

Senate Bill No. 159—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read first time, and placed on file for second reading.

Senate Bill No. 169—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read first time.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read first time, and placed on file for second reading.

Assembly Bill No. 47—An Act to amend section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read first time, and placed on file for second reading.

Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read first time, and placed on file for second reading.

Senate Bill No. 99—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code, relating to expenses of witnesses.

First reading refused.

Senate Bill No. 127—An Act to amend sections three thousand eight hundred and thirty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and forty-three, three thousand eight hundred and forty-five, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections thereto, to be known as sections three thousand eight hundred and sixty-three and three thousand eight hundred and sixty-four, all relating to revenue and poll taxes.

Mr. Parker asked leave to withdraw this bill.

So ordered.

Senate Bill No. 152—An Act to amend sections one thousand three hundred and sixty-five and one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to the administration of estates.

First reading refused.

Senate Bill No. 160—An Act to amend sections five hundred and seventy-seven and six hundred and seventy of the Code of Civil Procedure of the State of California, relating to judgments and judgment rolls in civil cases.

Read first time, and placed on file for second reading.

Senate Bill No. 179—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Penal Code," approved April 16, 1880, relative to the Grand Juries.

Mr. Boone asked leave to withdraw this bill.

So ordered.

Senate Bill No. 183—An Act to amend section five thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to immigration.

First reading refused.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

Upon the question, "Shall this bill be read the first time?"

The ayes and noes were demanded by Senators Days, Lynch, and Vrooman.

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Days, DeLong, Johnson of San Bernardino, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Vrooman, and Whitney—13.

NOES—Messrs. Chandler, Creighton, Cross, Del Valle, Dougherty, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Mahler, and Spencer of Stanislaus—11.

Assembly Bill No. 105 read first time, and placed on file for second reading.

Senate Bill No. 117—An Act to amend sections one hundred and four, one hundred and five, and one hundred and six of an Act entitled "An Act to establish a Code of Civil Procedure," relating to Justices of the Peace, and to Justices' Courts.

Read first time, and placed on file for second reading.

Senate Bill No. 158—An Act to regulate fees of Clerks of Superior Courts in the State of California.

Mr. McClure asked leave to withdraw this bill.

So ordered.

Senate Bill No. 175—An Act to establish a State detective force for the better enforcement of the laws.

First reading refused.

Senate Bill No. 181—An Act to add a new section to the Code of Civil Procedure, to be designated as section six hundred and thirty-five, relating to findings in civil cases.

Mr. Hurlburt asked leave to withdraw this bill.

So ordered.

Senate Bill No. 185—An Act to facilitate the giving of bonds required by law.

Mr. Vrooman asked leave to withdraw this bill.

So ordered.

Senate Bill No. 201—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be known as section one thousand four hundred and twenty-three.

Ordered placed on special file from three o'clock and thirty minutes P. M. to five o'clock P. M. daily, in Committee of the Whole.

Senate Bill No. 203—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending section one thousand and thirty-four thereof, respecting costs on appeal.

Read first time, and placed on file for second reading.

Senate Bill No. 207—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Ordered placed on special file from three o'clock and thirty minutes P. M. to five o'clock P. M. daily, in Committee of the Whole.

Senate Bill No. 208—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to actions between the State and individuals.

Read first time, and placed on file for second reading.

Senate Bill No. 212—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, marriages, and deaths.

Read first time, and placed on file for second reading.

Senate Bill No. 88—An Act to amend section three thousand eight hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services.

Read first time, and placed on file for second reading.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read first time, and placed on file for second reading.

Senate Bill No. 196—An Act to establish a standard of weights and measures.

Mr. Creighton asked leave to withdraw this bill.

So ordered.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read first time, and placed on file for second reading.

Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

First reading refused.

Senate Bill No. 223—An Act to amend section three hundred and twenty-three of the Civil Code, relating to corporate stock.

Read first time, and placed on file for second reading.

Senate Bill No. 224—An Act to amend section three hundred and twenty-four of the Civil Code, concerning corporations and corporate stock.

Read first time, and placed on file for second reading.

Senate Bill No. 225—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers.

Read first time, and placed on file for second reading.

Senate Bill No. 226—An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 268—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered section two hundred and nine, relative to selling human beings, and placing human beings under restraint and in brothels.

Read first time, and placed on file for second reading.

Senate Bill No. 237—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Read first time, and placed on file for second reading.

Senate Bill No. 239—An Act to abolish all Commissioners, or Boards of Commissioners, as heretofore created or appointed to construct or complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or the governing body of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Read first time, and placed on file for second reading.

Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Read first time, and placed on file for second reading.

Senate Bill No. 187—An Act to provide for the establishment of industrial schools, and for the maintenance and government of the same, and of all such as are now established by law, and for the commitment of children thereto.

Read first time, and placed on file for second reading.

Senate Bill No. 222—An Act to amend section eight hundred and sixty-two of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

Mr. Wright asked leave to withdraw this bill.

So ordered.

Senate Bill No. 161—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered and known as section four thousand four hundred and fifteen, relating to the legislative powers of cities, cities and counties, and incorporated towns.

Read first time, and placed on file for second reading.

Senate Bill No. 293—An Act to appropriate money to pay the claims of William Gutenberger, for mechanics' tools and property destroyed at the branch State Prison at Folsom.

Mr. Routier asked leave to withdraw this bill.

So ordered.

Senate Bill No. 58—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundary, and whatever is necessary thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State.

Read first time, and placed on file for second reading.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and placed on file for second reading.

Senate Bill No. 57—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

First reading refused.

Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

Read first time, and placed on file for second reading.

Senate Bill No. 240—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 1—Relative to authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer.

Read first time, and placed on file for second reading.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read first time, and placed on file for second reading.

Senate Bill No. 131—An Act to amend sections two thousand four hundred and forty-five, two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and thirty-five, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of the Political Code, relating to the pilot regulations of San Francisco, Mare Island, Vallejo, and Benicia.

Read first time, and placed on file for second reading.

Senate Bill No. 276—An Act to amend section one thousand six hundred and seventy-two of the Political Code, relating to public schools, and the examination and certificates of teachers.

Read first time, and placed on file for second reading.

Senate Bill No. 277—An Act to amend section one thousand six hundred and sixty-five of the Political Code, in relation to public schools, and the branches of instruction to be given therein.

Read first time, and placed on file for second reading.

Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

Read first time, and placed on file for second reading.

Senate Bill No. 44—An Act to amend section one thousand one hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to liens of mechanics and others upon real property.

First reading refused.

Senate Bill No. 145—An Act to declare the identity of married women.

Read first time, and placed on file for second reading.

Senate Bill No. 193—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of actions for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any tax.

First reading refused.

Senate Bill No. 227—An Act to amend section one thousand and eighty-six of the Code of Civil Procedure, relating to the writ of mandate.

Read first time, and placed on file for second reading.

Senate Bill No. 228—An Act to amend section one thousand and

ninety-one of the Code of Civil Procedure, relating to the writ of mandate.

Read first time, and placed on file for second reading.

Mr. DeLong moved to reconsider the vote whereby Senate Bill No. 193 was refused first reading.

ADJOURNMENT.

At nine o'clock and forty-six minutes P. M., on motion of Mr. Cross, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 26, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Lowe moved that further reading of the Journal be dispensed with.

Lost.

Reading of the Journal resumed.

Mr. Saxe moved that further reading of the Journal be dispensed with.

Lost.

Reading of the Journal resumed.

Reading of the Journal finished, and on motion of Mr. Spencer of Napa, corrected as follows:

On page seven, printed Journal, by amending Mr. McClure's motion to strike out all after the word "regulations," and accepted by the author, to read as follows: Strike out all after the word "regulations" where it appears a second time in the amendment.

Journal approved.

QUESTION OF PRIVILEGE.

Mr. Perry arose to a question of privilege. He read from the San Francisco Evening Post of the twenty-fifth instant, in regard to an article reflecting upon his actions as an attorney and a Senator. He stated that it was false and malicious and put a wrong construction upon his actions.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Constitutional Amendment No. 15—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

SPECIAL ORDER.

Assembly Bill No. 403—An Act to establish a branch State Normal School.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.

So ordered on a division of the Senate—ayes, 16; noes, 10.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The Sergeant-at-Arms was furnished a list of absentees, and the doors closed.

President pro tem. Hon. Benjamin Knight in the chair.

The Sergeant-at-Arms appeared, and announced that Senator Lowe was without, desiring admittance.

On motion, Senator Lowe was admitted, brought before the bar of the Senate, and, on motion of Mr. Johnson of Sonoma, excused.

• Mr. Taylor moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Consideration of special order, Assembly Bill No. 403, resumed.

Mr. Taylor moved that the Senate recede from its amendment to section one, changing "Shasta County" to "northern portion of this State."

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, Days, Dougherty, Drum, Knight, Lowe, Lynch, McClure, Routier, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—18.

NOES—Messrs. Chandler, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Mahler, Palmeri, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Stanislaus, Steele, and Whitney—21.

Upon the question, "Will the Senate recede from its amendment to section two, as follows: 'at some point in Northern California?'"

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Beauvais, Cox, Creighton, Cross, Days, Dougherty, Drum, Knight, Lynch, McClure, Routier, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—16.

NOES—Messrs. Baldwin, Boone, Chandler, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Mahler, Palmeri, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Stanislaus, Steele, and Whitney—24.

Upon the question, "Will the Senate recede from its amendment to section two, as follows: 'northern part of this State?'"

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, Days, Drum, Johnson of San Bernardino, Kellogg, Langford, Lowe, Lynch, McClure, Palmieri, Routier, Spencer of Napa, Taylor, Vrooman, and Wright—19.

NOES—Messrs. Baldwin, Chandler, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Knight, Mahler, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Stanislaus, Steele, and Whitney—19.

Upon the question, "Will the Senate recede from its amendment to section two, as follows: 'for said school?'"

Roll called, and the Senate refused to recede, by the following vote:

AYES—Messrs. Beauvais, Boone, Johnson of San Bernardino, Kellogg, Knight, Langford, McClure, Perry, Reddy, and Routier—10.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, Palmieri, Parker, Parkinson, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—29.

Upon the question, "Will the Senate recede from its amendment to section two, as follows: 'without charge to the State?'"

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Beauvais, Boone, Johnson of San Bernardino, Kellogg, Knight, Langford, Lynch, Parker, Parkinson, Perry, Reddy, and Routier—12.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lowe, Mahler, McClure, Palmieri, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—27.

Upon the question, "Will the Senate recede from its amendment to section three, as follows: 'thirty?'"

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Johnson of San Bernardino, Kellogg, Langford, Lowe, Mahler, McClure, Perry, and Reddy—11.

NOES—Messrs. Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Knight, Lynch, Palmieri, Parker, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—28.

Mr. Taylor moved that the Senate recede from all of the remaining amendments to the bill, as follows:

SEC. 3. And twenty thousand dollars for the furnishing and support of the same for two years.

SEC. 5. Said Branch State Normal School shall be governed and regulated by the same laws now governing and regulating the State Normal School.

SEC. 6. The said buildings shall be erected, and the moneys herein appropriated therefor, expended under the direction of the Board of Trustees of the State Normal School.

SEC. 7. This Act shall take effect and be in force from and after its passage.

Title amendment: In Northern California, to maintain the same, and appropriate money therefor.

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Beauvais, Boone, Johnson of San Bernardino, Kellogg, Langford, Lowe, McClure, and Parker—8.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

MOTION.

Mr. Lynch moved to suspend the rules, and take up, out of order, Assembly Bill No. 262, and read same second time.

Ayes and noes demanded by Senators Filcher, Drum, and Creighton. Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Creighton, Days, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Wright—25.

NOES—Messrs. Beauvais, Cox, Cross, DeLong, Johnson of San Bernardino, Lowe, Mahler, McClure, Saxe, Steele, Taylor, Vrooman, Wallis, and Whitney—14.

PROTEST.

MR. PRESIDENT: I hereby enter my protest against the action of the Senate and the decision of the President upon the Senate amendments to Assembly Bill No. 303, had this day. The Assembly having refused to concur in the Senate amendments, and the bill having been sent back to the Senate, the question, as stated by the President, was: "Will the Senate recede from all the remaining amendments not already acted upon?" There being at least five other amendments, and to different sections.

The reason for said protest being that each amendment should have been voted for separately.

W. W. KELLOGG.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That the Senate have an evening session at seven o'clock and thirty minutes to-day, at which no business shall be transacted except the second reading of bills in their order on the general file.

On motion of Mr. Cross, the resolution was adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE LIBRARY.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: The Committee on State Library, to whom was referred Senate Bill No. 250—An Act to provide for the removal of the cabinet department from the State Library to the University of California—have considered the same, and report it back, with the recommendation that it do pass.

DEL VALLE, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom—and do now report the same back to the Senate, and recommend that it do pass.

Also, Senate Bill No. 79—Entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

G. A. JOHNSON, Chairman.

RESOLUTION—(OUT OF ORDER).

Mr. Taylor presented the following resolution, and asked that it be considered read and referred to the Committee of the Whole.

So ordered.

WHEREAS, The topography and climatic conditions relating to agriculture and the water supply in this State differ so widely in different localities, that a uniform law seems impracticable; and whereas, an equitable distribution of the water of the State for irrigation purposes is essential to agricultural development in some portions of the State; and whereas, the purposes of this association will be to a considerable extent frustrated, particularly in the San Joaquin

Valley and Southern California, if unwise restrictions are placed on the use of water for agricultural purposes;

Resolved, That the Board of Directors of the Immigration Association respectfully request the representatives of San Francisco, in the Legislature, to use their best efforts to secure such legislation as will promote irrigation and secure the following objects:

First—Secure an economical and beneficial application of the streams to sustaining life, to domestic and sanitary uses, and to the production of food.

Second—Provide all the precautions against excessive charges for the conveyance and distribution of the water over the largest area consistent with the supply and that fertility which would render its use profitable.

Adopted by the Board of Directors of the Immigration Association, February 17, 1885.

ARTHUR R. BRIGGS, President.

SAN FRANCISCO, CAL.

RECESS.

At twelve o'clock and thirty minutes P. M., the President pro tem. declared the usual recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned railroad land grants—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Also, Senate Concurrent Resolution No. 22—Relative to the Sumner Postal Telegraph Bill—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Also, Senate Concurrent Resolution No. 23—Relative to "the suspension of silver coinage"—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Also, Senate Joint Resolution No. 3—Relative to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the State of all sums by them expended in defense of the United States—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

Also, Senate Joint Resolution No. 4—Relative to "a proper adjustment of the accounts of the different States, Territories, and the District of Columbia, with the United States, arising out of the proceedings under the direct tax law of August 5, 1861"—have had the same under consideration, and now report the same back, with the recommendation that it do pass.

BALDWIN, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 167—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin, for the thirty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, February 26, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 31—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

Also, Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 118—An Act for the relief of Robert McKillican.

Also, Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Also, Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change, and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County.

Also, Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Also, Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Also, Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Also, Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Also, Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Also, Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Also, Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Also, Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Also, Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Council of cities.

Also, Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public ways and navigable streams.

Also, Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Also, have concurred in Senate amendments to Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

FRANK D. RYAN, Chief Clerk.

Senate Bills Nos. 118 and 73 referred to Committee on Enrollment.

Assembly Bill No. 16 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 472, on motion of Mr. McClure, ordered placed on file.

Assembly Bill No. 478, on motion of Mr. Days, was substituted on the file for Senate Bill No. 240.

Assembly Bill No. 324 referred to Committee on Judiciary.

Assembly Bill No. 484 referred to Committee on Roads and Highways.

Assembly Bill No. 483—Mr. Perry moved that this bill be substituted on file for Senate Bill No. 274.

Mr. Kellogg objected.

Motion lost, and bill referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 7 referred to Committee on Judiciary.

Senate Bills Nos. 114 and 113 referred to Committee on Enrollment.

Assembly Bill No. 258 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 481 referred to Committee on Commerce and Navigation.

Assembly Bill No. 510, on motion of Mr. Baldwin, ordered placed on file.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—37.

NOES—None.

Title read and approved.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

On motion of Mr. Baldwin, this bill was passed on file.

Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Mr. Whitney moved that Assembly Constitutional Amendment No. 15 be referred to Senator Cross, as a committee of one, with special instructions to amend the bill as follows: amend the bill as printed, section ten, by inserting after the word "franchise," on line eight, the word "business."

Ayes and noes demanded, by Senators Reddy, Spencer of Napa, and Lynch.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Baldwin, Del Valle, Filcher, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—10.

Also, amend section ten, by striking out the word "round-houses," on line nine.

Adopted.

Also, amend, after section eleven, by adding the following:

SCHEDULE.

Nothing in this amendment shall affect any assessment or tax heretofore made, or levied, or interest thereon, or any penalty heretofore incurred, or any action, or right of action, on account of any such assessment, tax, interest, or penalty, and all laws in force at the adoption of this amendment, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature. The first levy and payment of taxes against railroad property hereunder shall be made in the year 1886, and shall be upon the gross earnings, to be ascertained, as herein provided, for the entire year 1885. Taxation for the fiscal year ending June 30, 1885, is not affected by this amendment.

Adopted.

Mr. Spencer of Napa moved to amend the motion to commit as follows: amend, by striking out of section eleven, on line two thereof, the words "except the owners of railroads."

Amendment accepted by Mr. Whitney.

Amendment adopted.

MOTION.

Mr. Chandler moved to take up and consider Assembly Bill No. 221, out of order.

Lost.

SECOND READING OF BILLS.

Senate Bill No. 324—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

On motion of Mr. McClure, this bill was temporarily passed on file.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

On motion of Mr. Vrooman, this bill was ordered printed with amendments, and that it retain its place on the file.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and

thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

The question being on the amendment offered by Mr. Whitney to section eight, as follows: amend section eight, by inserting, after the word "district," in line nineteen, the following: "Each order of the Board of Trustees or Board of Education shall be accompanied by a duplicate thereof, in all respects like the original, but distinctly marked across the face thereof 'duplicate,' and such duplicate shall be attached to the warrant when issued, and no warrant shall be paid by the County Treasurer unless accompanied by such duplicate."

Adopted.

Mr. Whitney offered the following amendment: amend section eight, page six, printed bill, after the word "delivered," on line three, insert "and to file with the Auditor, on the first Monday of each month, an abstract of such register, showing all matters therein required to be shown."

Adopted.

On motion of Mr. Days, the following amendment was adopted: "strike out all of subdivision twelve, of section five."

On motion of Mr. Johnson of Sonoma, the title was amended to read as follows:

An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and twelve, one thousand six hundred and thirteen, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and seventy-six of the Political Code, to add a new section, to be known as section one thousand five hundred and thirty-four of the Political Code, and to repeal sections one thousand six hundred and eighteen and one thousand seven hundred and ninety-two of the Political Code, relating to education and public schools.

On motion of Mr. Spencer of Stanislaus, the following amendment was adopted: strike out all of subdivision fourteen, of section six.

Mr. Days moved to amend as follows: strike out all of section twenty-five.

Mr. Johnson of Sonoma moved to amend the amendment as follows: after the word "Board," in line six, strike out the balance of the section, and insert the following words: "*provided*, that nothing herein shall forbid any compensation that shall be allowed by the Board of Supervisors for clerical services, rendered in the business of the Board of Education."

Amendment to the amendment accepted by the author.

Amendment adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Spencer of Napa:

In accordance with the notice given yesterday, I move to amend Rule Eight, by inserting, after the word revenue, "all bills relating to or affecting the County Government Bill."

Referred to Committee on Standing Rules.

Consideration of Senate Bill No. 247 resumed.

Mr. Days moved to amend, by striking out of section fourteen, line three, the word "five," and insert the word "three;" line four, strike out "ten," and insert "six."

Mr. Whitney moved to amend the amendment by striking out all of section fourteen.

Amendment to the amendment accepted by the author.

Amendment adopted.

Mr. Johnson of Sonoma moved to amend the title as follows: strike out of the title the words "section one thousand five hundred and sixty-two."

Adopted.

Senate Bill No. 247 read second time, and the bill, as amended, ordered engrossed, and to a third reading.

Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing, and appropriating money therefor.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Spencer of Stanislaus, Lowe, and Johnson of Sonoma.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Stanislaus, and Steele—21.

NOES—Messrs. Boone, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Parker, Parkinson, Saxe, Vrooman, Whitney, and Wright—12.

Bill read second time, ordered engrossed, and placed on file for third reading.

REPORT OF COMMITTEE OF ONE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your committee of one, by vote of the Senate, on this day, appointed and instructed to report Assembly Concurrent Resolution No. 15, with amendments—hereby reports the said bill back, with amendments, in accordance with the said instructions, as follows:

Amend the bill as printed:

1. Amend section ten, by inserting, after the word "franchise," on line eight, the word "business."
2. Also, amend section ten, by striking out the word "roundhouses," on line nine.
3. Also, after section eleven, add the following:

SCHEDULE.

Nothing in this amendment shall affect any assessment or tax heretofore made or levied, or interest thereon, or any penalty heretofore incurred, or any action, or right of action, on account of any such assessment, tax, interest, or penalty; and all laws in force at the adoption of this amendment, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature. The first levy and payment of taxes against railroad property hereunder, shall be made in the year 1886, and shall be upon the gross earnings to be ascertained as herein provided, for the entire year of 1885. Taxation for the fiscal year, ending June 30, 1885, is not affected by this amendment.

4. Also, amend by striking out of section eleven, on line two thereof, the words "except the owners of railroads."

C. W. CROSS.

RESOLUTION—(OUT OF ORDER).

Mr. Baldwin offered the following resolution, and asked that it be read for information:

Resolved, That the rule of the Senate by which the Senate is resolved into a Committee of the Whole from three o'clock and thirty minutes to five o'clock P. M., each day, be temporarily suspended for this day only, and that the Senate proceed throughout the day with its regular business.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole, for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bills Nos. 210, 37, 38, 39, 40 and 41, and do recommend that they do not pass; also, Senate Concurrent Resolution No. 19, and recommend that the same do pass; also, Assembly Bill No. 410, and report progress.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Kellogg moved to suspend the rules and take up, out of order, Assembly Bill No. 458, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Constitutional Amendment No. 15 for engrossment—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the Insane Asylums, in lieu of per diem and expenses.

Upon the question: "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Johnson of San Bernardino, Knight, and Perry.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, McClure, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Steele—27.

NOES—Messrs. DeLong, Hurlburt, Johnson of San Bernardino, Knight, Mahler, Parker, Parkinson, Saxe, Vrooman, and Whitney—10.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Spencer of Napa, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.
Hon. Benjamin Knight, President pro tem., in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Mr. Kellogg moved that the Senate proceed to the consideration of second reading of bills on general file.

So ordered.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 43—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Taylor, McClure, and Whitney.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Creighton, Cross, DeLong, Del Valle, Filcher, Hurlburt, Johnson of Sonoma, Kellogg, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, and Wallis—17.

NOES—Messrs. Beauvais, Boone, Chandler, Drum, Johnson of San Bernardino, Knight, Lowe, McClure, Parker, Saxe, Taylor, Vrooman, Whitney, and Wright—14.

Mr. Langford was paired with Mr. Baldwin.

Bill read second time.

Mr. Reddy moved to amend section one as follows: amend section one, on line seven, after the word "State," strike out the words "six months," and insert the words "one year."

Adopted.

Mr. Whitney moved to amend as follows: strike out section two.

Adopted.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Taylor, Lowe, and Parker.

Roll called, and the bill refused engrossment and third reading, by the following vote:

AYES—Messrs. Creighton, Cross, Days, Del Valle, Drum, Filcher, Kelly, Kellogg, Lynch, Mahler, Palmieri, Perry, Routier, Spencer of Stanislaus, and Wallis—15.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, DeLong, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, McClure, Parker, Parkinson, Reddy, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—20.

Mr. Langford was paired with Mr. Baldwin. Mr. Langford would have voted "aye;" Mr. Baldwin would have voted "no."

Mr. Reddy gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Senate Bill No. 43 was refused engrossment and third reading.

Senate Bill No. 80—An Act creating a State and County Board of Examiners, and prescribing their duties and powers.

Passed on file.

Senate Bill No. 62—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public.

Read second time, and committee amendments adopted as follows: strike out all of section two of this bill, and insert in lieu thereof the following:

SEC. 2. This Act shall not affect the tenure of office of Notaries Public heretofore appointed, whose terms of office have not expired.

Also, strike out the word "fifteen," where it occurs in subdivision three, of section one, and insert in lieu thereof the word "twenty."

Senate Bill No. 62 ordered engrossed, and to a third reading.

Senate Bill No. 115—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

On motion of Mr. Perry, this bill was passed on file.

Senate Bill No. 55—An Act to amend section six hundred and ninety of the Code of Civil Procedure.

Mr. Cross asked leave to withdraw this bill.

So ordered.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read second time, and committee amendments as follows adopted: strike out the word "made," in line seventeen, of said bill, and insert in lieu thereof the word "proven."

Bill ordered engrossed, and to a third reading.

Senate Bill No. 51—An Act to amend section four hundred and thirty-three of the Political Code, relative to the duty of the Controller.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Reddy, Lynch, and Del Valle.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Drum, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Taylor, Vrooman, Whitney, and Wright—24.

NOES—Messrs. Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, and Spencer of Napa—8.

The committee recommend the following amendments: strike out all of subdivision twelve of said bill, and renumber the succeeding

subdivisions in conformity therewith, thus making twenty-one subdivisions instead of twenty-two.

Adopted.

Also, after the word "books," in subdivision fifteen of this bill, add the words "and vouchers."

Adopted.

Mr. Whitney moved to reconsider the vote whereby subdivision twelve was stricken out.

Ayes and noes demanded by Senators Spencer of Stanislaus, Reddy, and Del Valle.

Roll called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Boone, Chandler, Creighton, Days, DeLong, Dougherty, Drum, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Wallis, Whitney, and Wright—21.

NOES—Messrs. Beauvais, Del Valle, Foster, Hurlburt, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—13.

Mr. Filcher was paired with Mr. Vrooman. Mr. Filcher would have voted "no;" Mr. Vrooman would have voted "aye."

The question recurring on the amendment to strike out subdivision twelve.

The ayes and noes were demanded by Senators Reddy, Spencer of Napa, and Del Valle.

Roll called, and the committee amendment "striking out all of subdivision twelve" lost by the following vote:

AYES—Messrs. DeLong, Del Valle, Foster, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, McClure, Parkinson, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—14.

NOES—Messrs. Beauvais, Boone, Chandler, Creighton, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lowe, Palmieri, Parker, Perry, Routier, Saxe, Wallis, Whitney, and Wright—20.

Mr. Vrooman was paired with Mr. Filcher.

Second reading of the bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Mr. Spencer of Napa moved to make this bill the special order for to-morrow morning, immediately after reading the Journal.

Mr. Kellogg moved to indefinitely postpone the consideration of this bill.

Ayes and noes demanded by Senators Spencer of Napa, Kelly, and Del Valle.

Roll called, and the motion to indefinitely postpone carried by the following vote:

AYES—Messrs. Beauvais, Creighton, Days, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, McClure, Parker, Reddy, Routier, Saxe, Spencer of Napa, Wallis, Whitney, and Wright—20.

NOES—Messrs. Boone, Cross, DeLong, Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Parkinson, Spencer of Stanislaus, and Taylor—12.

Mr. Spencer of Napa gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Assembly Bill No. 13 was indefinitely postponed.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, two thirds of all the members voting therefor, as follows:

AYES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Wallis, Whitney, and Wright—32.

NOES—None.

By Mr. Spencer of Napa: Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Mr. Spencer of Napa moved to suspend the rules and read Senate Bill No. 325 first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Sections one to six, inclusive, read second time.

Mr. Whitney moved to amend section six, line nine, by striking out the words "Mayor or Auditor," and inserting the words "City Council," in lieu thereof.

Adopted.

Mr. Whitney moved to amend section six, line thirteen, by inserting after the word "administer," the words "and certify."

Adopted.

Mr. Whitney moved to amend section fifteen, line two, by striking out the word "Judges," and insert in lieu thereof the word "Judge."

Adopted.

Second reading of this bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

At ten o'clock P. M. Mr. Cross moved to adjourn.

Lost.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Mr. Lynch moved to amend, by striking out of section two all from

and including the word "whenever," on line thirteen, to and including the word "Commander," on line eighteen.

Adopted.

Mr. Lynch moved to amend section three, line four, after the word "privates," and insert the following words: "except artillery companies and gatling gun batteries, which may consist of a maximum number of one hundred and forty-nine officers and privates."

Adopted.

Mr. Cross moved to amend section three, line twelve, by striking out the word "to," after the word "entitled."

Adopted.

Mr. Lynch moved to amend, by striking out of section seven, line twelve, the word "each," and to and including the word "enlisted," on line fourteen.

Adopted.

Mr. Lynch moved to amend section twelve, line six, after the word "each," insert the following words: "artillery company and gatling gun."

Adopted.

Mr. Lynch moved to amend, by adding to the end of section twelve the following:

There shall also be paid from the military appropriation of the State the sum of six hundred dollars for the purchase of light carriages for the four gatling guns now in possession of the Gatling Battery, A Company, Second Artillery Regiment, Second Brigade, National Guard California, which shall be suitable for hand service, and for the purpose of making said company a more efficient arm of the military service in a city, especially in case of riot. The Board of Organization and Location shall detach it from the regiment with which it is now connected and make it an unattached company.

Adopted.

Mr. Perry moved to amend section twelve as follows: strike out, on line nineteen, the words "and to each company the amount necessarily expended for ammunition," and insert in lieu thereof the words "and to the Adjutant-General, three thousand five hundred dollars per annum, to be expended by him in promoting rifle practice."

Adopted.

Mr. Perry moved to amend, by adding a new section, to be known as section thirteen:

SEC. 13. All laws heretofore enacted that may be inconsistent with this Act are hereby repealed.

Adopted.

Second reading of this bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

Senate Bill No. 232—An Act to provide for including within any reclamation district in this State certain lands requiring protection from overflow, and which may be protected by the same system of works as shall be required for the protection of the lands originally embraced within said district.

On motion of Mr. Taylor, this bill was indefinitely postponed.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read second time, ordered engrossed, and placed on file for third reading.

Mr. Spencer of Napa moved to suspend the rules, and take up and consider Assembly Bill No. 262, out of order.

So ordered.

ADJOURNMENT.

At ten o'clock and thirty-five minutes P. M., on motion of Mr. Taylor, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 27, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading was dispensed with, and the Journal approved.

Mr. Lowe stated that on February 24, 1885, he introduced Senate Bill No. 323; he wished the Journal to show that he introduced said bill by request.

REPORTS OF STANDING COMMITTEES.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FOSTER, Chairman.

Mr. Foster moved that the rules be suspended, and that Assembly Bill No. 169 be taken up, out of order, and read first time.

Lost on a division of the Senate—ayes, 14; noes, 9.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation without requiring actual settlement thereon by the purchaser—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and also that the same be read the first time this day.

COX, Chairman.

Upon the question, "Shall Assembly Bill No. 295 be read the first time, as per recommendation of committee?"

It was so ordered.

FIRST READING OF BILL.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation without requiring actual settlement thereon by the purchaser.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEES.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended, and be read first time.

Also, Assembly Bill No. 163—An Act to eradicate glanders, button farcy, or nasal gleet, a disease among horses and other animals, and to empower the several county Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation, and define his powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended, and be read first time.

FOSTER, Chairman.

Upon the question, "Shall Senate Bill No. 182 be read the first time, as per recommendation of committee?"

Lost.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Hospitals and Asylums beg leave to offer the following additional report, aside from that already submitted, in connection with the insane asylums. Different members of your committee have visited the following orphan asylums: San Francisco Protestant Orphan Asylum; Grass Valley Orphan Asylum; San Francisco Roman Catholic Orphan Asylum; St. Joseph's Infant Orphan Asylum, San Francisco; Pajaro Vale Orphan Asylum, Watsonville; Good Templars' Orphan Asylum, Vallejo; Sacramento Protestant Orphan Asylum; Pacific Hebrew Orphan Asylum, San Francisco; Santa Cruz Female Orphan Asylum; Los Angeles Orphans' Home; Los Angeles Orphan Asylum; Ladies' Protection and Relief Society, San Francisco.

Those institutions which we did not visit, we have sufficient and reliable information to satisfy ourselves of their workings and conditions in all respects. We find that, in round numbers, there are three thousand three hundred orphans, half orphans, and abandoned children in institutions receiving aid from the State, and that the amount thus received is a little over two hundred thousand dollars per annum. The asylums are conducted in a good manner, and have good and trustworthy officers at their heads. The books of the various institutions are well kept, and, from the examination we gave them, we are satisfied that their reports are properly made out. The workings of the asylums are in every respect as well as can be expected, and the universal healthy appearance of the inmates goes to show that they are well cared for. From our observations, we are of the unanimous opinion that the State is doing a wise as well as a benevolent act in caring for this class, and that the amount appropriated by law is reasonable and necessary.

KNIGHT, Chairman.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Senate Bill No. 273—An Act to amend section twenty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, without recommendation.

D. SPENCER, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Knight:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of Benjamin Knight, for the sum of thirty dollars, on account of mileage of Senator Saxe and Clerk Plant to Grass Valley and return.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Mr. Days moved to suspend the rules, and take up, out of order, Assembly Bill No. 156, and read same second time.

Ayes and noes demanded by Senators Dougherty, Drum, and Creighton.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Creighton, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Taylor, and Whitney—18.

NOES—Messrs. Baldwin, Beauvais, Cross, Filcher, Foster, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, McClure, Parker, Reddy, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—18.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

COMMITTEE TO INVESTIGATE TREASURER'S OFFICE.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your committee appointed to investigate and inquire into the defalcations in the office of the late State Treasurer, and to report upon all matters connected therewith, respectfully submit the following report:

A number of witnesses have been examined and documentary evidence submitted. As the result of which investigation the committee have arrived at the following conclusions:

That W. A. January took possession of the office of State Treasurer in January, 1883, and that Arthur D. January, his son, was duly appointed Deputy Treasurer: that for more than a year prior to the thirteenth day of November, 1884—the day of his arrest—Deputy Treasurer A. D. January was known to be indulging in gambling, and losing large sums of money at gambling games; that these facts were brought to the attention of his father, the State Treasurer, by certain prominent citizens of Sacramento, in the latter part of April, 1884, which, as they testify, was done as a friendly act. It was also brought to the attention of the State Controller by ex-Treasurer Weil, about a year ago, that there was liable to be a defalcation in the State Treasurer's office at any time, on account of the manner in which the special deposits were kept, and that A. D. January, the Deputy Treasurer, was in the habit of gambling, and that the County Treasurers had not sufficient protection for their deposits. It appears from the testimony that the system of keeping special deposits in the State Treasury had been in existence for over twenty-five years, although no stub receipt books were produced dated anterior to 1876; that the deposit receipts were signed by the State Treasurer, or his deputy as State Treasurer; that they were printed at the expense of the State by the Superintendent of State Printing; that some of the county Boards of Supervisors were in the habit of counting the receipts as cash in auditing the accounts of the County Treasurer; that most of the County Treasurers considered the State was responsible for the moneys deposited under this system; that in making their settlements with the State Treasurer, if any balance was coming to the County Treasurers, which they wished to deposit, no money was paid to them over the counter, but the balance so deposited was segregated by the State Treasurer, or his deputy, without the knowledge of the County Treasurer making the deposits; that the moneys so deposited were all in gold coin, with the exception of a sufficient amount of silver to make change; that the deposit of each County Treasurer was not kept in a separate sack with a tag showing the county to which the money belonged, but all the deposits were in one fund; that the receipts given by the State Treasurer for said deposits were of such a form that they were calculated to deceive depositors into the belief that they were State documents, and had all the characteristics of such documents; that

the said deposit receipts had always been received by the State Treasurer in making settlements with the County Treasurers.

It appears, from the testimony, that the character of the money lost in gambling by A. D. January, late Deputy Treasurer, was currency and gold notes of large denominations—\$50 to \$1,000.

From the evidence, the committee have arrived at the conclusion that Arthur D. January abstracted the money mostly in legal tender and gold notes from the funds of the State; and that afterwards he transferred the amount abstracted from the Special Deposit Fund to the General Fund, so that the proper amount would be on hand in the General Fund. Had the Board of Examiners made their official count on the day of the abstraction of the funds, it is the conclusion of the committee that the General Fund would have been found deficient.

The amounts deposited by the County Treasurers are as follows:

| | |
|---|------------|
| John Scott, Sierra County | \$1,825 48 |
| H. S. Turner, Humboldt County | 10,568 95 |
| John D. Skinner, El Dorado County | 2,100 00 |
| U. Yndart, Santa Barbara County | 6,489 32 |
| Z. B. Tinkum, Mono County | 996 93 |
| James Fowzer, Mendocino County | 17,054 00 |
| U. Hartnell, Monterey County | 1,899 56 |
| Wm. Jorres, San Diego County | 3,769 92 |
| R. B. Hathaway, Contra Costa County | 9,000 00 |
| John Cronkite, Alpine County | 48 59 |

The sum of fourteen thousand two hundred and ten dollars and fifty cents was found to be on hand in the Special Deposit Fund in the State Treasurer's office, after the arrest of A. D. January in November, 1884, by the State Board of Examiners, showing a deficit of thirty-nine thousand five hundred and forty-two dollars and twenty-five cents.

By an order of the Superior Court of the City and County of Sacramento, the Hon. Fred. Cox was appointed Receiver of this amount of money on hand in what was called a special fund in the State Treasury, and now has the same in his keeping; and the committee is unadvised as to the equitable distribution of that fund. The full amount of State funds (less special deposits) as called for by the books of the Controller and State Treasurer, on hand at the time Mr. D. J. Oullahan was appointed and took charge of the office of State Treasurer, was one million one hundred and sixty-four thousand three hundred and six dollars and fifty-seven cents; deficit, twenty cents.

That at the time Mr. Weil was succeeded by W. A. January he turned over to his successor the sum of one hundred and thirty-seven thousand dollars in special deposits, and took a receipt of the same, under the signature and official seal of the incoming Treasurer, and the whole amount so transferred was in coin; that the books show nearly every County Treasurer in the State has made special deposits with the State Treasurer; and at times the amount on hand in the treasury has been very large.

FINAL.

That it is the opinion of your committee that each of the County Treasurers above mentioned, who have lost by said defalcation in said office, have a just and equitable claim against the State, and should be reimbursed, or the receipts for such special deposits received in settlement by the State Treasurer.

Your committee are aware of the provisions of section four hundred and fifty-three of the Political Code: but, as was stated in evidence, the law has been, so far as its practical operation is concerned, a "dead letter;" but presume that the recent occurrences will cause it to be hereafter regarded as a "live enactment."

WALLIS, Chairman,
A. L. CHANDLER,
R. F. DEL VALLE,
W. W. KELLOGG,
C. F. FOSTER,
Committee.

The committee respectfully request that this report, and the testimony taken before the committee, be printed and laid on the desks of the members.

Mr. Wallis moved that the report and testimony be printed as requested.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 248—An Act to amend section one hundred and twelve of an

Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk.

Also, Assembly Bill No. 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved April 16, 1880, relative to Grand Juries.

Also, Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Also, Assembly Bill No. 297—An Act to amend the Code in relation to the taxation of ferry-boats and all water crafts.

Also, Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

Also, Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Also, Assembly Bill No. 303—An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination.

Also, Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

Also, Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Also, Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act to establish a Political Code, approved March 12, 1872, relating to the formation of school districts.

Also, Assembly Bill No. 523—An Act to authorize the commitment of persons to House of Correction.

Also, Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Also, Assembly Bill No. 225—An Act to amend an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876.

Also, have adopted Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan in collection of claims due the State of California from the United States.

Also, Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Also, Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove—have amended, and passed as amended, and respectfully ask your honorable body to concur in the same.

FRANK D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Assembly Bill No. 248 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 275 referred to Committee on Judiciary.

Assembly Bill No. 349 referred to Committee on Claims.

Assembly Bill No. 297 referred to Committee on Finance.

Assembly Bill No. 504, on motion of Mr. McClure, ordered placed on file.

Assembly Bill No. 448 referred to Committee on Claims.

Assembly Bills Nos. 300, 303, and 301 referred to Committee on Education.

Assembly Bill No. 299 referred to Committee on Hospitals.

Senate Bill No. 16 referred to Committee on Enrollment.

Assembly Bill No. 523 referred to Committee on Judiciary.

Assembly Bills Nos. 225 and 489 referred to Committee on Counties, County Governments, and Township Organization.

Senate Concurrent Resolution No. 3 referred to Committee on Enrollment.

Assembly Bill No. 350, on motion of Mr. Creighton, was substituted for Senate Bill No. 218 on the file.

Mr. Spencer of Stanislaus moved that the Senate do now concur in the amendments of the Assembly to Senate Bill No. 164.

So ordered.

Amendments of the Assembly to Senate Bill No. 164:

1. Amend section one (line sixteen of the printed bill), by striking out the words "nine hundred" and inserting in place thereof the words "fifteen hundred."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—35.
 NOES—None.

2. Amend section one, by adding to line twenty-one of the printed bill, the words, "and, *provided further*, that the sum of three thousand five hundred dollars shall be set apart out of the appropriation therein made (as is directed in section two of this Act, for the purchase by the Commissioners above named, of all that portion of the road owned by the Big Oak Flat and Yosemite Turnpike Road Company lying within the Yosemite Grant, and known as the Big Oak Flat Road.

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—33.
 NOES—None.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Concurrent Resolution No. 17—Relative to opposition to the Mexican treaty.

Also, Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Also, Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

FRANK D. RYAN, Chief Clerk.
 By A. SMITH, Assistant Clerk.

Assembly Concurrent Resolution No. 17 referred to Committee on Federal Relations.

Assembly Bill No. 512 referred to Committee on Finance.

Assembly Bill No. 313, on motion of Mr. McClure, was placed on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 51, 90, 62, 316, and 247—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 392—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright—36.

NOES—Mr. Taylor—1.

Title read and approved.

Assembly Constitutional Amendment No. 15—Proposed amendment to article eight of the Constitution, relative to taxation.

Read third time.

Mr. Lynch moved that Assembly Constitutional Amendment No. 15 be referred to a committee of one, to be appointed by the President, with special instructions to amend the bill as follows: amend the bill as printed, on line five, section ten, by striking out the words "two and a half" and inserting in lieu thereof the words "three and five eighths."

RECESS.

Pending debate, at twelve o'clock and thirty minutes P. M., the President declared the usual recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 20—Entitled "An Act to require the payment of certain premiums to counties, and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums."

Senate Bill No. 73—"An Act to grant to Boards of Health or Health Officers in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers."

Senate Bill No. 113—"An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor."

Senate Bill No. 114—"An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor."

Senate Bill No. 118—"An Act for the relief of Robert McKillican."

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

The question being on the motion of Mr. Lynch, to refer Assembly Constitutional Amendment No. 15 to a committee of one, with instruc-

tions to amend, the ayes and noes were demanded by Senators Reddy, Spencer of Stanislaus, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Spencer of Stanislaus—11.

NOES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, McClure, Palmeri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—28.

The question being on the passage of Assembly Constitutional Amendment No. 15.

Pending debate, Mr. Cross asked leave to introduce a resolution.
So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That the Senate have an evening session at seven o'clock and thirty minutes to-day, at which no business shall be transacted except the second reading of bills in their order on the general file.

Mr. Kellogg moved to amend the resolution as follows:

That during the session of the Senate this evening, no Senator shall be allowed to speak for more than five minutes upon any proposed amendment, nor more than ten minutes upon the merits of the bill, nor more than twice upon the same amendment or bill.

Amendment adopted.

The question recurring on the adoption of the resolution, as amended, the same was adopted.

PRIVILEGED RESOLUTION.

Mr. Kellogg introduced the following privileged resolution, and asked that it be read for information:

MR. PRESIDENT: I move that the rules be suspended temporarily, for this day only, and the Senate continue the consideration of the bill now under discussion until disposed of, and then that bills upon the special and general files be considered.

Mr. Del Valle arose to a point of order, and claimed that the Senator from Plumas, Mr. Kellogg, had no right to the floor; also, that he had no right to have the resolution read, even if a privileged resolution.

The President decided the point of order not well taken.

Mr. Del Valle appealed from the decision of the chair.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole, for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Assembly Bill No. 410—An Act to amend title

eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—and reported progress.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

MAHLER, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 481—Entitled "An Act to amend section two thousand three hundred and forty-nine of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to public ways and navigable streams"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and request that it take the place of Senate Bill No. 291, the subject-matter being the same.

KELLY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your committee have had under consideration Assembly Constitutional Amendment No. 7—Entitled "Proposed Amendment to article four, section two, of the Constitution, relative to the Legislative Department"—and do now report the same back to the Senate, and recommend that it do pass.

Also, Assembly Bill No. 312—Entitled "An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Assembly Bill No. 324—Entitled "An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass as amended.

Also, Assembly Bill No. 483—Entitled "An Act to amend an Act entitled 'An Act to establish a Penal Code,' by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes"—and do now report the same back to the Senate and recommend that it do pass.

Also, Senate Bill No. 310—Entitled "An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure, relating to the disqualification of Judges and transfer of administrations"—and do now report the same back to the Senate, and recommend that it do not pass.

Also, Senate Bill No. 311—Entitled "An Act to amend section one thousand one hundred and seventy-one of the Code of Civil Procedure"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass as amended.

Also, Senate Bill No. 312—Entitled "An Act to amend chapter four of the Code of Civil Procedure, concerning summary proceedings for obtaining possession of real property, when no judgment for damages or costs is demanded"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 313—Entitled "An Act to amend section eight hundred and sixty-nine of the Code of Civil Procedure"—and do now report the same back to the Senate, with an amendment thereto, and recommend that it do pass, as amended.

Also, Senate Bill No. 321—Entitled "An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1883"—and do now report the same back to the Senate, and recommend that it do not pass.

CROSS, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor, for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

Mr. Spencer of Napa moved to reconsider the vote whereby Assembly Bill No. 13 was indefinitely postponed.

Mr. Kellogg moved to lay the motion to reconsider on the table.

Lost.

Mr. Spencer's motion to reconsider was postponed until to-morrow, immediately after reading the Journal.

The question being on the passage of Assembly Constitutional Amendment No. 15.

CALL OF THE SENATE.

Mr. McClure moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drumm, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

On motion of Mr. McClure, further proceedings under the call of the Senate were dispensed with.

After discussion, the roll was called, and the following Assembly Constitutional Amendment No. 15, as amended in Senate, February 25-26, 1885, introduced by Mr. Heath, February 9, 1885, and referred to Committee on Constitutional Amendments:

AN ACT

To amend sections one, eight, ten, and eleven, of article thirteen, of the Constitution.

The Legislature of the State of California, at its twenty-sixth session, commencing on the fifth day of January, A. D. eighteen hundred and eighty-five, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that sections one, eight, ten, and eleven, of article thirteen, of the Constitution of the State of California, be amended so as to read as follows:

SECTION 1. All property in the State, except railroads, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership: *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or any county or municipal corporation within this State, shall be exempt from taxation. Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty; and, *provided further*, that railroads shall be taxed as provided in section ten of this article; and, *provided further*, that the Legislature may provide for the exemption from taxation of ships and vessels owned and registered or enrolled in this State, or may tax such ships and vessels on their gross or net earnings, in lieu of an ad valorem tax. The Legislature may also provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State. Double taxation in any form is prohibited.

SEC. 8. The Legislature shall, by law, require each taxpayer in this State to make and deliver to the County Assessor, annually, a statement under oath, setting forth specifically all property, real and personal, except railroad property, as defined in section ten of this article, owned by such taxpayer, or in his possession or under his control, at twelve o'clock meridian, on the first Monday in March.

SEC. 10. All property, except railroad property, as hereinafter provided, shall be assessed in the county, city, city and county, town, township, or district in which it is situated, in the manner provided by law. Every corporation and person owning or operating a railroad, or any portion thereof, in this State, shall, on or before the first day of July of each year, pay to the State Treasurer an annual tax of two and a half per cent upon the gross earnings, earned within this State, of such railroad, for the year ending upon the thirty-first day of December next preceding; which tax shall be in lieu of all other State and county taxes upon the franchise, business, right of way, roadway, roadbed, rails, rolling stock, fences, stations, and their appurtenances, and upon ferryboats, when operated as a part of such railroad, and upon the shares of the capital stock, and upon the mortgages, deeds of trust, contracts, or other obligation by which a debt is secured upon such property. All other property belonging to such corporation or person shall be assessed and taxed as other property is assessed and taxed. The gross annual earnings earned during the year ending on the thirty-first day of December last preceding, of all railroads, shall be, annually, before the first day of May thereafter, ascertained and declared by the State Board of Equalization, under such rules and regulations as may be prescribed by said Board; *provided*, however, that the Legislature may at any time pass laws prescribing said rules and regulations. In all cases where railroads are situated partly within this State and partly without this State, the gross annual earnings thereof shall be ascertained and determined by taking:

First—The gross earnings which, during the year last preceding, have been earned wholly within this State.

Second—The gross earnings which, during the same year, have been earned partly within this State and partly without this State, which shall be ascertained by apportioning such earnings between this State and other States or Territories, in the proportion which the number of miles of such railroad situated in this State, and used in making such earnings, bears to the whole number of miles thereof, by the use of which such earnings have been made. The proportion of interstate earnings thus ascertained shall be added to the earnings made wholly within the State, and the total thus obtained shall be taken and deemed to be the gross earnings of such railroads for all purposes of assessment and taxation. For every purpose of this section, except for the purpose of ascertaining the proportion of interstate earnings to be added to the earnings made wholly within this State, all railroads operated as one system shall be treated as one road. One third of the tax paid by corporations or persons owning or operating railroads under the provisions of this section, shall become part of the General Fund of this State, and two thirds thereof shall be paid to the county or counties in which said railroad is situated, in proportion to the length of the railroad operated in the several counties. For the purposes of this section a consolidated city and county shall be treated as a county. Any corporation, association, partnership, person or persons, unlawfully failing or refusing to pay the tax herein provided, when the same shall become due, or within thirty days thereafter, shall be deemed to have waived their right to operate their railroads within this State. The taxes herein provided for, together with such penalties as the Legislature may impose for the non-payment thereof, shall be a lien upon the property hereinbefore in this section designated, and may be enforced in such manner as the Legislature may by law prescribe. All railroads, so far as the same are situated within the boundaries of any common school district, shall be subject to an ad valorem tax for school purposes voted by the electors of the district, at a special election held for that purpose, the same as other property situated within the district, anything in this article to the contrary notwithstanding. And all railroads, so far as they are situated within the boundaries of any incorporated city or town, shall be subject to an ad valorem tax for municipal purposes the same as other property situated therein, anything in this article to the contrary notwithstanding.

SEC. 11. Income taxes may be assessed and collected from persons, corporations, joint stock associations or companies, resident or doing business in this State, or any one or more of them, in such cases and amounts and in such manner as shall be prescribed by law. No Court within this State shall have power, by injunction or otherwise, to interfere with, hinder, or delay the collection of any tax laid under the form of law, except upon a showing that the same property has been taxed more than once for the same purpose in the same year, and then only upon payment to the Tax Collector, or into Court, of a sum equal to the amount of one of the taxes so laid upon the property in question; *provided*, that in all cases actions may be maintained against the Tax Collector to recover illegal taxes paid under protest. All such actions must be commenced within thirty days after such illegal taxes have been paid. It shall be the duty of the Courts in which such actions may be brought, to try them, upon the request of either party, in advance of all other civil actions, and such taxes so paid under protest shall be retained by the Tax Collector, or such other officer as the Legislature may designate, until such actions shall have been finally decided.

SCHEDULE.

Nothing in this amendment shall affect any assessment or tax heretofore made or levied, or interest thereon, or any penalty heretofore incurred, or any action or right of action on account of any such assessment, tax, interest, or penalty; and all laws in force at the adoption of this amendment, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature. The first levy and payment of taxes against railroad property hereunder, shall be made in the year eighteen hundred and eighty-six, and shall be upon the gross earnings, to be ascertained as herein provided, for the entire year of eighteen hundred and eighty-five. Taxation for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, is not affected by this amendment.

Was passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmeri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—Messrs. Baldwin, Del Valle, Filcher, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—8.

Title read and approved.

Mr. Reddy moved to reconsider the vote whereby Senate Bill No. 43 was refused engrossment and third reading.

Mr. Reddy's motion to reconsider was postponed until to-morrow morning, immediately after special order already set.

Mr. Taylor moved to take up Assembly messages, so far as they relate to Assembly Bill No. 403.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed as a Committee of Conference on the part of the Assembly, Assemblymen Yule, J. M. Ward, and Goucher, to consider amendments to Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same—to meet and confer with a like number to be appointed by the Senate, and to report action of said Committee of Conference to their respective bodies.

FRANK D. RYAN, Chief Clerk.

Mr. Foster moved that the President appoint a Committee of Conference of three, to meet and confer with a like number appointed by the Assembly, to consider amendments to Assembly Bill No. 403.

So ordered.

RECESS.

At five o'clock and fifty-two minutes P. M., on motion of Mr. Taylor, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Benjamin Knight, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Parkinson, Perry, Reddy, Wallis, and Wright.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read second time, and placed on file for third reading.

Senate Bill No. 80—An Act creating a State and County Board of Examiners, and prescribing their duties and powers.

On motion of Mr. Vrooman, this bill was passed on file.

Senate Bill No. 115—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

On motion of Mr. Perry, this bill was passed on file.

Senate Bill No. 126—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, in relation to the powers and duties of Boards of Supervisors, and highway officers and highways, to be numbered two thousand six hundred and fifty-six, and to read as follows.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 176—An Act concerning municipal corporations.

Read second time, ordered engrossed, and placed on file for third reading.

Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872.

Read second time, ordered engrossed, and to a third reading, and, on motion of Mr. Kellogg, made the special order for to-morrow, at twelve o'clock, noon.

Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read second time, and committee amendments as follows adopted :

1. Strike out the title of this bill and insert in lieu thereof a new title, to read as follows: "An Act to amend section nine hundred and thirty-nine of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to appeals in civil cases."

Adopted.

2. Add a new subdivision to said bill, after subdivision three, to read, as per annexed :

4. From an order, judgment, or decree, ordering or adjudging an accounting, within forty days after the making or entry thereof: *provided*, that there shall be no stay of proceedings thereon unless such security shall be given as the Court shall direct, by a written undertaking, to be approved by the Court or Judge thereof, for the payment or satisfaction of any order, judgment, or decree, which may be rendered on such accounting, and upon giving such security it shall stay all proceedings upon such order, judgment, or decree, until the determination of the appeal therefrom.

Adopted.

3. Have the word "received," where it appears in subdivision first, of section one, of the bill as printed, changed to the word "reviewed."

Adopted.

Senate Bill No. 108, as amended, ordered engrossed, and to a third reading.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of collection of taxes by the Assessor on certain personal property.

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read second time, and placed on file for third reading.

Senate Bill No. 95—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in the State, by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Read second time, and substitute of committee, as follows, adopted :

AN ACT

To amend an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March second, eighteen hundred and sixty-seven," approved March 30, 1868.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. Section one of said Act is amended so as to read as follows :

Section 1. It shall be the duty of each of the persons who may be acting as a Superior Judge and Judge of the Superior Court of any county in this State, to enter at the proper Land Office of the United States such quantity of land as the inhabitants of any unincorporated town, situated in the county of such Superior Judge, may be entitled to claim in the aggregate, according to their population, in the manner required by the laws of the United States and the regulations prescribed by the Secretary of the Interior of the United States, and to make and sign all necessary declaratory statements, certificates, and affidavits, or other instruments requisite to carry into effect the intentions of this Act, and the intentions of the Act of Congress of the United States entitled "An Act for the relief of the inhabitants of cities and towns upon the public lands," approved March second, eighteen hundred and sixty-seven, and to make proof, when required, of the facts necessary to establish the claim of such inhabitants to the lands so granted by said Act of Congress.

SEC. 2. Section two of said Act is hereby amended so as to read as follows :

Section 2. The Superior Judge of any county in this State, whenever he shall be so requested by a petition signed by not less than five resident householders in any unincorporated town, whose names appear upon the assessment roll for the year preceeding such application— which petition shall set forth the existence, name, and locality of such town; whether such town is situated on surveyed or unsurveyed lands, and if on surveyed lands the quarter sections or lesser subdivisions covered thereby shall be stated; the estimated number of its inhabitants; the number of separate lots or parcels of land within such town site, and the amount of land to which they are entitled under said Act of Congress—shall estimate the cost of entering such land, and of the survey and recording of the same, and shall indorse such estimate upon said petition; and upon receiving from any of the parties interested the amount of money mentioned in such estimate, the said Superior Judge may, if he shall deem it necessary, cause an enumeration of the inhabitants of such town to be made by some competent person, who shall be appointed for that purpose by such Superior Judge; and such enumeration shall be returned by the person so making the same, exhibiting therein names of all the heads of families and occupants of lots, lands, or premises within such town site, alphabetically arranged, verified by his oath, to the Superior Judge of the county.

SEC. 3. Section three of said Act is amended so as to read as follows :

Section 3. The said Superior Judge shall thereupon cause a survey to be made, by some competent person, of the lands which the inhabitants of said town may be entitled to claim under the said Act of Congress, located according to the legal subdivisions of the sections, and by the section lines of the United States, and the same shall be distinctly marked by suitable monuments. Such surveys shall further particularly designate all streets, roads, lanes, and alleys, public squares, churches, school lots, cemeteries, and commons, as the same exist, and have been heretofore dedicated in any manner to public use; and by measurement, the precise boundaries and area of each and every lot or parcel of land and premises claimed by any person, corporation, or association within said town site, shall be designated on the plat, showing the name or names of the possessor or occupant, and claimant if other than the occupant, of each particular lot and parcel of land; and in case of any disputed claim as to lots, lands, premises, or boundaries, the said surveyor, if the same be demanded by any person, shall designate the lines (in different color from the body of the plat) of such part of any premises so disputed or claimed adversely. A plat thereof shall be made in triplicate on a scale of not less than eighty feet to one inch, which shall be duly certified under oath by the surveyor, one of which shall be filed

with the County Recorder of the county wherein the town is situated, one shall be deposited with the Superior Judge, and one shall be deposited with the Justice of the Peace resident in or nearest to such town. These plats shall be considered public records, shall each be accompanied with a copy of the field notes, and the County Recorder shall make a record thereof in a book to be kept by him for that purpose. The said surveyor shall number the blocks, as divided by the roads and streets opened at the time of making such survey, and shall number the several lots consecutively in each block, and all other parcels of land within said town site surveyed as herein provided, which said numbers shall be a sufficient description of any parcel of land in said plat, when mentioned by reference to such town plat; and such plats, field notes, and records, and certified copies thereof, shall be prima facie evidence of the contents and correctness thereof in all the Courts of this State.

SEC. 4. Section four of said Act is amended so as to read as follows:

Section 4. Before proceeding to make such survey, at least ten days notice shall be given by the Superior Judge, by posting within the limits of such town site not less than five written or printed notices of the time when such survey shall commence, and by publication thereof in a newspaper published in such town, if one there be. The survey of said town lands shall be made to the best advantage, and at the least expense to the holders and claimants thereof; and the said Superior Judge is hereby authorized to receive bids for such surveying, and to let the same by contract to the lowest competent bidder.

SEC. 5. Section five of said Act is amended so as to read as follows:

Section 5. All streets, roads, lanes, and alleys, public squares, cemeteries, and commons, surveyed, marked, and platted on the map of any town site, as prescribed and directed by the provisions of this Act, shall be deemed and considered and they are hereby declared to be dedicated to public use, by the filing of such town plat in the office of the County Recorder, and shall be inalienable, unless by special order of the Board of Supervisors of the county, so long as such town shall remain unincorporated; and if such town shall at any time hereafter become incorporated, then the same shall become the property of such town or city, and shall be under the care and subject to the control of the Board of Trustees or other municipal authority of such town or city.

SEC. 6. Section six of said Act is amended so as to read as follows:

Section 6. Each lot or parcel of said lands having thereon valuable improvements, or buildings ordinarily used as dwellings or for business purposes, not exceeding one tenth of one acre in area, shall be rated and assessed by the said Superior Judge at the sum of one dollar; each lot or parcel of such lands exceeding one tenth and not exceeding one eighth of one acre in area shall be rated and assessed at the sum of one dollar and fifty cents; each lot or parcel of such lands exceeding in area one eighth of one acre and not exceeding one quarter of an acre in area shall be rated and assessed at the sum of two dollars; and each lot and parcel of such lands exceeding one quarter of an acre and not exceeding one half of an acre in area shall be rated and assessed at the sum of two dollars and one half; and each lot or parcel of land so improved exceeding one half an acre in area shall be assessed at the rate of two dollars and one half for each half an acre or fractional part over half an acre; and every lot or parcel of land inclosed, which may not be otherwise improved, or uninclosed, claimed by any person, corporation, or association, shall be rated and assessed at the rate of two dollars per acre or fractional part over an acre; and where, upon one parcel of land, there shall be two or more separate buildings, occupied or used ordinarily as dwellings, or for business purposes, each such building, for the purposes of this section, shall be considered as standing on a separate lot of land, but the whole of such premises may be conveyed in one deed; which moneys so assessed shall be paid in gold or silver coin of the United States, and shall constitute a fund from which shall be reimbursed and paid the moneys necessary to pay the Government of the United States for said town lands, and interest thereon, if such moneys shall have been loaned, or advanced, for the purpose and expenses of their location, entry, and purchase, and the costs and expenses attendant upon the making of said survey and recording thereof.

SEC. 7. Section seven of said Act is amended so as to read as follows:

Section 7. Any sum of money remaining after defraying all the necessary expenses of location, entry, surveying, platting, and recording of lands, and the expenses of the Superior Judge, hereinafter mentioned, shall be deposited in the County Treasury, to the credit of the fund of each particular town, and shall be kept separate by the County Treasurer, to be paid out by him only on the written order of such Superior Judge, until after the expiration of the time for a final settlement of the affairs of such town lands, as hereinafter provided, at which time any and all balances of moneys so remaining to the credit of each town shall be transferred by such County Treasurer to the School Fund of the particular school district in which said town shall be situated.

SEC. 8. Section eight of said Act is amended so as to read as follows:

Section 8. Every person, corporation, or association, claimant of any town lot or parcel of land within the limit of such town site, shall present to the Superior Judge, within six months after the plat shall have been filed in the office of the County Recorder, his, her, or their affidavit, verified in person or by duly authorized agent or attorney, in which shall be concisely stated the facts constituting the possession or right of possession of the claimant, and that the claimant is entitled to the possession thereof against all other persons, to the best of his knowledge and belief, to which shall be attached a copy of so much of the plat of said town site as will fully exhibit the particular lot or parcel of land so claimed, with the abutments; and every such claimant, at the time of filing such affidavit, shall pay to such Superior Judge such sum of

money as said Judge shall thereon certify to be due for the assessment mentioned in section six of this Act, together with the further sum of five dollars, in gold or silver coin of the United States, to be appropriated to the payment of the expenses incurred in carrying out the provisions of this Act: and the Superior Judge shall thereupon give to such claimant a certificate containing a description of the lot or parcel of land claimed, and setting forth the amounts paid thereon by such claimant. The Superior Judge shall procure a bound book for each town in his county, wherein he shall make proper entries of the substantial matters contained in every such certificate issued by him, numbering the same in consecutive order, setting forth the name of claimant, or claimants, in full, date of issue, and description of lot or lots claimed.

SEC. 9. Section nine of said Act is amended so as to read as follows:

Section 9. If it shall be found that the amounts, heretofore specified as assessments and fees for costs and expenses, shall prove to be insufficient to cover and defray all the necessary expenses, the Superior Judge shall be and he is hereby empowered to estimate the deficiency, and to assess such deficiency pro rata upon all the lots and parcels of lands in such town, and to declare the same upon the basis set down in section six of this Act, which additional amount, if any, may be paid by the claimant at the time when the certificate heretofore mentioned, or at the time when the deed of conveyance hereinafter provided for, shall be issued.

SEC. 10. Section ten of said Act is amended so as to read as follows:

Section 10. At the expiration of six months after the issuance of the certificate mentioned in the preceding section, if there shall have been no adverse claim filed in the meantime, the said Judge shall make, execute, acknowledge, and deliver to each claimant, or to his, her, or their heirs, administrators, or assigns, a good and sufficient deed of the premises described in the application of the claimant originally filed. No conveyance of any such lands, made as in this Act provided, shall be deemed to conclude the rights of third persons; but such third persons may have their actions in the premises to determine alleged interest in such lands against such grantee, his heirs or assigns, to which they may deem themselves entitled either in law or equity: *provided*, that no action for the recovery of the possession of such premises, or any portion thereof, shall be maintained in any Court against the grantee named therein, or against his, her, or their assigns, unless such action shall be commenced within two years after such deeds shall have been filed for record in the office of the County Recorder of the county where such lands are situated; and, *provided*, that nothing herein shall be construed to extend the time of limitation prescribed by law for the commencement of actions upon a possessory claim or title to real estate when such action is barred by law at the time of the passage of this Act; and, *provided further*, that whenever mining claims shall have been located and held bona fide for mining purposes, prior to the passage of this Act, and where the same shall be prior in location to the claim of any occupant for other purposes, such mining rights, according to the metes and bounds so located and claimed, shall not in any manner be affected by the provisions of this Act; nor shall any sale be made, nor any title be conveyed, by reason of any sale or pretended sale of such lands so claimed for mining purposes, until after the occupancy of such mining claims shall have been abandoned by the holders thereof.

SEC. 11. Section eleven of said Act is amended so as to read as follows:

Section 11. In all cases of adverse claims, or disputes arising out of conflicting claims to lands or boundary line, the adverse claimants may submit the decision thereof to the Superior Judge by an agreement in writing, specifying particularly the subject-matter in dispute, and may agree that his decision shall be final; in which case the said Judge shall hear the proofs, and shall execute a deed in accordance therewith; but in all other cases of adverse claim the party out of possession shall commence his action in a Court of competent jurisdiction, within six months after the filing of the town plat in the office of the County Recorder. In case such action be commenced, the plaintiff shall serve a notice, in pendens, upon the Superior Judge, who shall thereupon stay all proceedings in the matter of granting any certificate or deed until the final decision of such suit; and upon presentation of a certified copy of the final decree of such Court in said action, the Superior Judge shall execute and deliver a deed of such premises in accordance with the decree. In case no such action be commenced within the time herein prescribed, the Superior Judge shall deliver his deed to the party in possession, as provided in section ten of this Act.

SEC. 12. Section twelve of said Act is amended so as to read as follows:

Section 12. The Superior Judge shall give public notice by advertisement for four weeks in some newspaper published in the county, if one there be, and if there be no newspaper published in said county, then by not less than five written or printed notices posted within the limits of such town site, that the plat thereof has been filed in the Recorder's office; and if any person, company, or association, or other claimant of lands in such town, shall fail, neglect, or refuse to make application to the said Superior Judge for a deed of conveyance of the lands so claimed, and to pay the sums of money specified in this Act, within six months after the filing of said plat, the Superior Judge shall enter upon his book the names of all such persons, with a description of the property or premises, and shall certify the same as delinquent for the amount of assessments certified to by such Judge as due under section six of this Act; and at the expiration of thirty days after making such entries, if such application be not made and such assessment be not paid, the said Judge shall proceed to advertise all such lots and parcels of land for sale in the same manner as real estate is required to be advertised under execution.

SEC. 13. Section thirteen of said Act is amended so as to read as follows:

Section 13. At the time of sale mentioned in said advertisement said Judge shall proceed to sell all such parcels of land so remaining delinquent, by public auction, to the highest bidder

for cash, at some public place within the limits of said town site; and he shall give to the purchaser at such sale a certificate of his purchase, setting forth therein a description of the premises sold, the amount paid, and that the same is subject to redemption, as prescribed in the next section; *provided*, that no sale shall be made for less than the whole amount of assessments and the costs of making the sale, which costs shall be divided pro rata among the several parcels offered for sale.

SEC. 14. Section fourteen of said Act is amended so as to read as follows:

Section 14. At any time within six months after such sale the original claimant shall be entitled to redeem such premises, by paying to the purchaser, or to the Superior Judge for the purchaser, double the whole amount of the purchase money, in gold and silver coin; but, in case no redemption be made, the purchaser, his heirs, or assignees shall be entitled to demand and receive from the Superior Judge a deed of such premises, which deed shall be absolute as against the parties delinquent, and shall entitle the grantee, his heirs, or assigns to a writ of assistance from the Superior Court having jurisdiction of the premises.

SEC. 15. Section fifteen of said Act is amended so as to read as follows:

Section 15. If there shall be any unoccupied or vacant unclaimed lands within the limits of such town site, the said Judge shall cause the same to be laid out and surveyed into suitable blocks and lots, and shall reserve such portions as may be deemed necessary for public squares and schoolhouse lots; and shall cause all necessary roads, streets, lanes, and alleys to be laid out through the same, and dedicated to public use; and the said Judge may sell the same in suitable parcels to possessors of adjoining lands, or to other citizens of said town, at a price not less than one dollar per acre, or fraction of an acre, in gold coin; and in case two or more claimants apply for the same tract, or parcel of the same tract, he shall sell the same by auction to the highest bidder; and if any such lands remain unsold at the end of six months after the filing of the town plat the said Judge shall proceed, in the same manner, and at the same time that any delinquent lands shall be sold, to sell such vacant lands to the highest bidder for cash, and shall give deeds therefor to the several purchasers.

SEC. 16. Section sixteen of said Act is amended so as to read as follows:

Section 16. All school lots and parcels of land reserved for school purposes, as aforesaid, by order of the Superior Judge, shall be conveyed to the School Trustees of the school district in which said town is situate without cost or charge of any kind whatever.

SEC. 17. Section seventeen of said Act is amended so as to read as follows:

Section 17. If any person shall falsely make oath to any affidavit required to be made by this Act, he or she shall be deemed guilty of perjury, and upon conviction shall be punished accordingly.

SEC. 18. Section eighteen of said Act is amended so as to read as follows:

Section 18. If any guardian or administrator, or tenant, joint tenant, tenant in common, partner, or partner in possession, of any of the lands mentioned in this Act, shall fraudulently procure, or cause, permit, suffer, or allow any deed to be obtained therefor for his or her sole benefit, or by his or her neglect allow the same to be done by others, such deed shall be null and void, and shall convey no title, and an action may be brought by any party injured or aggrieved thereby or claiming any interest in such premises, for the recovery of such interest, at any time within five years after the discovery of such fraud.

SEC. 19. Section nineteen of said Act is amended so as to read as follows:

Section 19. In case a vacancy shall occur from any cause in the office of Superior Judge during the pendency of any of the proceedings to be taken under this Act, upon the election or appointment of a successor, it shall be the duty of the County Clerk to make out a certificate, under seal, showing the facts and name of such successor, and file the same with the County Recorder, who shall record such certificate in book of deeds, and shall attach the original to the town plat book in his office.

SEC. 20. Section twenty of said Act is amended so as to read as follows:

Section 20. For services performed under this Act, the Superior Judge shall be entitled to receive, out of the moneys provided for, to be paid into his hands, the sum of one dollar per mile for all travel necessarily performed by him in such duty; for every deed executed by him, the sum of five dollars, as provided in section eight of this Act, which shall include the acknowledgment and revenue stamp thereon required; and for every certificate issued by him, the sum of fifty cents.

SEC. 21. Section twenty-one of said Act is amended so as to read as follows:

Section 21. All moneys required to be paid by any person under this Act shall be paid in gold and silver coin, except that for the payment for the price of the land to the Government of the United States, the Superior Judge shall be authorized and required to purchase, at the market price, so much in legal tender notes as may be requisite therefor.

SEC. 22. Section twenty-two of said Act is amended so as to read as follows:

Section 22. Every Superior Judge, when fulfilling the duties imposed upon him by the Act of Congress aforesaid, and by this Act, shall keep a correct account of all moneys received and paid out by him. He shall deposit all surplus moneys with the County Treasurer of his county, and at the end of one year from the time when the town plat of any town shall be filed in the County Recorder's office he shall settle up all the affairs pertaining to said town, and shall pay over to the County Treasurer all moneys belonging to said town, for the use and benefit of the school district in which said town may be situate; *provided*, that if any claims to lands in such town shall be the subject of litigation, the same shall be finally settled by such Superior Judge, whenever the final decree of the Court shall be served upon him.

Sec. 23. Section twenty-three of said Act is amended so as to read as follows :

Section 23. Whenever the affairs of any such town shall be finally settled and disposed of by such Superior Judge, he shall deposit all books and papers relating thereto in the Superior Court of his county, to be thereafter kept in the custody of the County Clerk as public records, subject to the inspection of any citizen.

Sec. 24. No mere informality, failure, or omission on the part of any of the persons or officers named in this Act shall invalidate the acts of such person or officer, but every certificate or deed granted to any person pursuant to the provisions of this Act, shall be deemed, taken, and considered as conclusive evidence that all preliminary proceedings in relation thereto have been correctly taken and performed.

Sec. 25. This Act shall take effect and be in force from and after its passage: *provided*, that the towns of Shasta and Red Bluff shall be and are hereby excepted and exempted from the operation of its provisions.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read second time, and committee amendment as follows adopted: strike out section two of this bill.

Bill as amended, ordered engrossed, and to a third reading.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 168—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery and blank books, and county advertising.

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 91—An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand six hundred and fifty-seven, to enable persons claiming to be entitled to any portion of the estate of a deceased person to prove their claims.

On motion of Mr. McClure, this bill was passed on file.

Senate Bill No. 249—An Act to provide for the impounding of mining debris.

Section one read second time, and committee amendment, as follows, adopted: section one, line two, after the word "appropriate," insert the following: "purchased or leased, or who may hereafter appropriate, purchase, or lease."

Section two, read second time, and committee amendment as follows, adopted: add to the end of section two, the following: "Any person or corporation who shall hereafter appropriate or use water for mining purposes, subsequent to the formation of any corporation contemplated by this Act, shall have the right to subscribe to its capital stock upon the same basis and conditions as the original subscribers, and the liability of such subscribers shall only date from such subscription."

Second reading of bill completed, and the bill, as amended, ordered engrossed, and to a third reading.

Senate Bill No. 307—An Act to create a State Immigration Commissioner, and to prescribe his powers and duties.

Second reading refused on a division—ayes, 6; noes, 16.

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read second time, and placed on file for third reading.

Mr. Langford moved to reconsider the vote whereby Senate Bill No. 307 was refused a second reading.

Lost.

Senate Bill No. 236—An Act to amend sections one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the qualification of voters.

This bill was temporarily passed on file.

Consideration of Senate Bill No. 236 resumed.

Upon the question, "Shall this bill be read the second time?"

The ayes and noes were demanded by Senators Spencer of Napa, McClure, and Whitney.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Beauvais, Cross, Days, DeLong, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Parkinson, Rontier, Saxe, and Taylor—19.

NOES—Messrs. Boone, Creighton, Del Valle, Dougherty, Filcher, Foster, McClure, Palmieri, Perry, Spencer of Napa, Vrooman, and Whitney—12.

Bill read second time, ordered engrossed, and to a third reading.

Senate Bill No. 64—An Act to amend the Civil Code of the State of California, relating to marriages, by repealing section seventy-five of said Code.

Second reading refused.

Senate Bill No. 155—An Act to establish a boys' reform school, for the correction and reformation of juvenile offenders.

Second reading refused.

Senate Bill No. 12—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 139—An Act to add a new section to the Civil Code, to be known as section five hundred and forty-one, in relation to telegraph lines.

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 26—An Act to regulate life and accidental insurance.

Mr. Lynch moved that this bill be passed on file, and that it retain its place on the file.

So ordered.

Senate Bill No. 82—An Act concerning corporations engaged in banking and doing a regular commercial banking business.

Second reading refused.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 22, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read second time, and amendment of committee, as follows, adopted: strike out section two.

Bill as amended, ordered engrossed, and to a third reading.

Mr. Kellogg moved to reconsider the vote whereby Senate Bill No. 82 was refused a second reading.

The ayes and noes were demanded by Senators Kellogg, Foster, and Days.

Roll called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Boone, Creighton, Cross, Days, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—19.

NOES—Messrs. Beauvais, Chandler, DeLong, Filcher, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, McClure, and Spencer of Napa—11.

Upon the question, "Shall this bill be read a second time?"

The ayes and noes were demanded by Senators Langford, Kellogg, and Knight.

Roll called, and the bill refused a second reading by the following vote:

AYES—Messrs. Beauvais, Creighton, Cross, Days, Del Valle, Foster, Hurlburt, Johnson of San Bernardino, Kellogg, Mahler, Palmieri, Parkinson, Perry, and Taylor—14.

NOES—Messrs. Boone, Chandler, DeLong, Filcher, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, McClure, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Vrooman, Whitney, and Wright—18.

Senate Bill No. 86—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read second time, and committee amendments, as follows, adopted: strike out all of section three; strike out section seven.

Bill, as amended, ordered engrossed, and to a third reading.

Senate Bill No. 104—An Act to encourage and provide for a general vaccination in the State of California.

Read second time, and committee amendments, as follows, adopted: amend section two by striking out the word "may," on line one, and insert in lieu thereof the word "shall."

Mr. Whitney moved to amend as follows: strike out section six.

Adopted.

Bill as amended, ordered engrossed, and to a third reading.

Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and foods and drugs, to prevent the adulteration of the same.

Read second time, and amendments of committee, as follows, adopted: amend section one by inserting on line four, after the words "medicinal plants," the words "minerals and;" amend by inserting a new section, numbered six, as follows:

SEC. 6. It shall be competent for the Mineralogist of the State of California to submit to the State Analyst any minerals of which he desires an analysis to be made: *provided*, that the costs of the same shall be defrayed by the Mineralogical Bureau.

Amend section six: change section six to section seven.

Mr. Whitney moved to strike out section six.

So ordered.

On motion of Mr. McClure, the following substitute was adopted: amend by inserting the following as section seven:

SEC. 7. The Board of State Viticultural Commissioners shall have the same privileges as are provided for the State Board of Health under this Act, with respect to samples of wines and grape spirits, and of all liquids and compounds in imitation thereof, and any person or persons desiring analysis of such products shall submit the same to the Secretary of the said Board of State Viticultural Commissioners, and the same shall be transmitted to the State Analyst in the

manner prescribed in section three of this Act. The analyses shall be made and the certificates of the State Analyst shall be forwarded to the Secretary of the said Board of State Viticultural Commissioners, and shall have the same force and effect as provided for in section two of this Act with respect to analyses made for the State Board of Health.

Title amended by committee as follows: amend the title by inserting on line one, after the word "the," the word "minerals."

Bill as amended, ordered engrossed, and to a third reading.

On motion of Mr. McClure, this bill was made a special order for Monday next, at two o'clock P. M.

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read second time, and amendment of committee, as follows, adopted: amend section one, line ten, by inserting after the word "Coroner," the words "or two reputable citizens;" also, amend section two, line thirteen, by inserting after the word "physician," the words "Coroner or two reputable citizens."

Mr. Whitney moved to amend as follows: strike out, on line nine, the words "or a midwife," and on line thirteen, the words "or midwife."

Adopted.

Mr. Whitney moved to amend as follows: strike out, on line fourteen, the words "or her."

Adopted.

Bill as amended, ordered engrossed, and to a third reading.

Senate Bill No. 54—An Act to authorize the establishment of a quarantine station for the harbor of San Francisco, and to appropriate money therefor.

Second reading refused.

Senate Bill No. 146—An Act to further the rights of inmates of insane asylums.

Second reading refused.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Read second time.

Mr. Whitney moved to amend as follows: strike out section two.

Adopted.

Bill as amended, ordered engrossed, and to a third reading.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Read second time, and placed on file for third reading.

Senate Bill No. 4—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Mr. Days asked leave to withdraw this bill.

So ordered.

Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use.

Mr. Whitney moved to amend section two as follows: "but the right to the use of such waters may be acquired by the owner of other lands either by grant or prescription."

Adopted.

Mr. Whitney moved to strike out section four.

Adopted.

Mr. Whitney moved to amend section ten, line one, after "corporation," insert "for the purpose of irrigation."

Adopted.

Mr. Whitney moved to amend section ten, line four, by striking out all of the section after the word "waters."

Adopted.

Mr. Whitney moved to strike out section thirteen.

Adopted.

At ten o'clock and six minutes P. M. Mr. Lynch moved to adjourn.

Lost.

Mr. Cross moved to make the further consideration of this bill (Senate Bill No. 50) the special order for to-morrow, immediately after special orders already set.

So ordered.

CONSIDERATION OF BILL—(OUT OF ORDER).

Mr. Taylor moved to take up and consider Assembly Bill No. 458, out of order.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Committee amendment to title adopted, as follows: amend the title of this bill so that it shall read as follows:

An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of actions.

Bill read second time, and placed on file for third reading.

At ten o'clock and fifteen minutes P. M. Mr. Johnson of San Bernardino moved to adjourn.

Lost.

Mr. Chandler moved to take up and consider Senate Bill No. 285, out of order.

So ordered.

Senate Bill No. 285—An Act to amend section two thousand six hundred and eighty-two of the Political Code, relative to roads and highways.

Read second time, ordered engrossed, and to a third reading.

Mr. Days moved to take up and consider Assembly Bill No. 156, out of order.

So ordered.

Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read second time, and placed on file for third reading.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Creighton, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,)
 Saturday, February 28, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
 President Daggett in the chair.
 Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Rice.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Langford.

Leave of absence was granted to Senator Spencer of Stanislaus until Tuesday next, on account of sickness.

The President announced the Committee of Conference to meet and confer with a like committee appointed by the Assembly, to consider amendments to Assembly Bill No. 403, as follows: Messrs. Foster, Kellogg, and Parker.

Journal partially read, and, on motion of Mr. Johnson of San Bernardino, further reading of the Journal was dispensed with, and the Journal approved.

Mr. Vrooman moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Also, Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three, of chapter ten, of an Act of the Legislature, approved February 28, 1883, relating to roads and highways.

Also, Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Also, Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Also, Assembly Bill No. 502—An Act to promote drainage.

Also, Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also, Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Also, Substitute for Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Also, Assembly Bill No. 329—An Act in relation to lawful fences.

Also, Assembly Bill No. 112—An Act for the relief of John Hengland and others.

Also, Assembly Bill No. 332—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

FRANK D. RYAN, Chief Clerk.

By A. SMITH, Assistant Clerk.

Assembly Bill No. 263 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 195 referred to Committee on Roads and Highways.

Assembly Bill No. 339 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 253, on motion of Mr. Steele, ordered placed on file.

Assembly Bill No. 502 referred to Committee on Mines, Drainage, and Mining Debris.

Assembly Bill No. 447 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 425 referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove.

Substitute Senate Bill No. 33 referred to Committee on Enrollment.

Assembly Bill No. 329 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 112, on motion of Mr. Cox, was substituted on the file for Senate Bill No. 278.

Assembly Bill No. 362 referred to Committee on Counties, County Governments, and Township Organization.

Also, the following:

ASSEMBLY CHAMBERS, SACRAMENTO, February 28, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

FRANK D. RYAN, Chief Clerk.

Mr. Vrooman moved that this bill be placed on first reading special file.

So ordered.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Vrooman moved to suspend the rules, and take up, out of order, Assembly Bill No. 574, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

Read first time.

Mr. Vrooman moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 574 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Hurtbert, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Mahler, McClure, Palmer, Parker, Parsonson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Mr. Vrooman moved that the rules be suspended, and this bill be read second time.

Carried.

Assembly Bill No. 574 read second time.

Mr. Vrooman moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 574 be declared a case of urgency, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—Mr. Foster—1.

Assembly Bill No. 574 read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 89—Entitled "An Act to establish the California Home for the care of feeble-minded children"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. A. JOHNSON, Chairman.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. McClure moved that the rules be suspended, and that Assembly Bill No. 89 be taken up, out of order, and read first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 89—Entitled "An Act to establish the California Home for the care of feeble-minded children."

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

D. SPENCER, Chairman.

Mr. Wallis moved to suspend the rules, and take up, out of order, Senate Bill No. 182, and read same first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.
Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 28, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 134, 241, 270, 154, 106, 176, 216, 262, 63, and Assembly Bill No. 150—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of Benjamin Knight, for mileage account of Senate Committee on Hospitals, for the sum of five hundred and sixty-eight dollars and sixty cents, as per statement herewith.

| | Miles. | Amount. |
|---|--------|----------|
| Senator Creighton— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| Totals..... | 280 | \$28 00 |
| Senator Saxe— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| To Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,236 | \$123 60 |
| Senator Wright— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Napa..... | 61 | 6 10 |
| Napa to San Francisco..... | 39 | 3 90 |
| San Francisco to Sacramento..... | 84 | 8 40 |
| Sacramento to Vallejo..... | 35 | 3 50 |
| Vallejo to Sacramento..... | 35 | 3 50 |
| Sacramento to Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,306 | \$130 60 |
| Senator Knight— | | |
| To Stockton and return..... | 96 | \$9 60 |
| Sacramento to Los Angeles and return..... | 956 | 95 60 |
| Totals..... | 1,052 | \$105 20 |

| | Miles. | Amount. |
|--|--------|----------|
| Clerk Plant— | | |
| To Stockton and return | 96 | \$9 60 |
| Sacramento to Napa | 61 | 6 10 |
| Napa to San Francisco | 39 | 3 90 |
| San Francisco to Sacramento | 84 | 8 40 |
| Sacramento to Vallejo | 35 | 3 50 |
| Vallejo to Sacramento | 35 | 3 50 |
| Sacramento to Los Angeles and return | 956 | 95 60 |
| Sacramento to Santa Cruz and return | 410 | 41 00 |
| Totals | 1,716 | \$171 60 |

Have had the same under consideration, and respectfully report the same back, and recommend the following as a substitute:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of Benjamin Knight, for mileage account of Senate Committee on Hospitals, for the sum of five hundred and fifty-nine dollars.

LYNCH, Chairman.

The question being on the adoption of the substitute to the resolution, the same was adopted.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 296—An Act to provide for a State Board of Charities.

Also, Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Also, Assembly Bill No. 69—An Act to provide for a Poor Fund, and regulate its disbursements.

Also, Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNIGHT, Chairman.

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Assembly Bill No. 295, and read same a second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Read second time.

Mr. McClure moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, Sacramento, February 28, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 23—Relative to amending Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

FRANK D. RYAN, Chief Clerk.

Assembly Concurrent Resolution No. 25—Relative to amending Assembly Bill No. 574:

Resolved by the Assembly, the Senate concurring, That the Chief Clerk of the Assembly be directed to correct a clerical error by inserting the word "dollars" after the word "thousand," in section one of Assembly Bill No. 574.

The question being on the adoption of the resolution, the same was adopted.

Consideration of Assembly Bill No. 295, resumed:

The question being, "Shall this bill be read a third time?"

Mr. Taylor moved to postpone the further consideration of this bill until Tuesday next, and that it be placed at the head of the second reading file.

Ayes and noes demanded by Senators Reddy, Days, and Boone.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, DeLong, Drum, Fileher, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Mahler, McClure, Parker, Spencer of Napa, Taylor, Whitney, and Wright—19.

NOES—Messrs. Beauvais, Chandler, Days, Del Valle, Hurlburt, Johnson of Sonoma, Knight, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Steele, and Vrooman—16.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. McClure moved to suspend the rules, and take up, out of order, Assembly Bill No. 472, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read first time, and placed on file for second reading.

Mr. Spencer of Napa moved to extend the hour of recess until one o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Mr. Baldwin moved a call of the Senate.

Lost.

The question being on the motion to reconsider the vote whereby this bill was indefinitely postponed.

Ayes and noes demanded by Senators Spencer of Napa, Kellogg, and Boone.

Roll called, and the motion to reconsider lost by the following vote:

* AYES—Messrs. Baldwin, Cross, DeLong, Dougherty, Drum, Johnson of Sonoma, Lynch, Spencer of Napa, and Steele—9.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, Wallis, Whitney, and Wright—26.

Senate Bill No. 43—An Act to amend section one hundred and seventy-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

On motion of Mr. Reddy, this bill was passed on file.

Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Wallis:

Resolved, That K. R. Wilson be and he is hereby allowed the sum of three hundred and twenty dollars, for services as stenographer in taking the testimony before the special Senate committee to investigate the defalcations in the office of the late State Treasurer, and for transcribing the same; and the Controller of State is hereby directed to draw his warrant for said sum in favor of the said K. R. Wilson upon the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use.

On motion of Mr. Whitney, this bill was made the special order for Monday morning, immediately after reading the Journal.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Johnson of Sonoma moved to take up and consider Senate Bill No. 285, out of order.

So ordered.

Mr. Johnson of Sonoma moved to make Senate Bill No. 285 the special order for Monday morning, immediately after special order already set.

So ordered.

Mr. DeLong moved to suspend the rules, and take up, out of order, Senate Bill No. 317, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Read first time.

Mr. McClure moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Senate Bill No. 317 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, De Long, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—32.

NOES—None.

Mr. McClure moved that the rules be suspended, and this bill be read a second time.

Carried.

Senate Bill No. 317—Read second time, ordered engrossed, and to a third reading.

Mr. Perry moved to suspend the rules, and take up, out of order, Assembly Bill No. 448, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read first time, and placed on file for second reading.

Mr. Perry moved to substitute Assembly Bill No. 448 on the file for Senate Bill No. 115.

So ordered.

Mr. Perry asked leave to withdraw Senate Bill No. 115.

So ordered.

Mr. Boone moved to suspend the rules, and take up, out of order, Senate Bill No. 101, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 101—An Act authorizing certain corporations to act as executors, administrators, guardians, trustees, agents, depository, or receiver.

Read second time, and committee amendments adopted, as follows:

1. Strike out the words "may provide," where they occur in section one of this bill, and insert in lieu thereof the words "by which it is, or may be provided."
2. Strike out the words "for acting as," where they occur in said section, and insert instead and in lieu thereof the words "may be appointed."
3. Strike out the words "appointment of," where they occur in the last line of said section.
4. After the words "or guardian of," where they occur in said section, insert the words "the estate of."

Bill, as amended, ordered engrossed, and to a third reading.

Mr. Cross moved that at one o'clock and thirty minutes P. M. the Senate adjourn.

So ordered.

Mr. Days asked leave to withdraw Senate Bills Nos. 5 and 53.

So ordered.

Mr. Vrooman moved to suspend the rules, and take up, out of order, Senate Bill No. 269, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—28.

NOES—Mr. Wallis—1.

Title read and approved.

Mr. Baldwin moved to reconsider the vote whereby the Senate decided to adjourn at one o'clock and thirty minutes P. M.

Carried.

Mr. Baldwin moved that the Senate adjourn at two o'clock P. M.

So ordered.

Mr. Vrooman moved to suspend the rules, and take up, out of order, Senate Bill No. 270, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—30.

NOES—None.

Title read and approved.

Mr. Saxe moved to suspend the rules, and take up, out of order, Senate Bill No. 325, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read second time, ordered engrossed, and to a third reading.

Mr. Baldwin moved to suspend the rules, and take up, out of order, Assembly Bill No. 510, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read first time, and placed on file for second reading.

Mr. Cox moved to suspend the rules, and take up, out of order, Assembly Bill No. 112, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read first time, and placed on file for second reading.

Mr. Whitney moved to suspend the rules, and take up, out of order, Senate Bill No. 120, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

Read second time, ordered engrossed, and to a third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 28, 1886.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended by the committee.

KNIGHT, Chairman.

Mr. Taylor moved to suspend the rules, and take up, out of order, Assembly Bill No. 35, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Read first time, and placed on file for second reading.

Mr. Hurlburt moved to suspend the rules, and take up, out of order, Assembly Bill No. 23, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Read first time, and placed on file for second reading.

Mr. Wright moved to suspend the rules, and take up, out of order, Senate Bill No. 106, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of collection of taxes, by the Assessor, on certain personal property.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—28.

NOES—None.

Title read and approved.

Mr. Chandler moved that Assembly Bill No. 221 be made the special order for Tuesday next, at two o'clock and thirty minutes P. M.

So ordered.

Mr. McClure moved to suspend the rules, and take up, out of order, Senate Bill No. 302, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 302—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read first time, and placed on file for second reading.

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Senate Bill No. 47, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—30.

NOES—None.

Title read and approved.

Mr. Knight moved to suspend the rules, and take up, out of order, Assembly Bill No. 264, and read same second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State.

Read second time, ordered engrossed, and to a third reading.

Mr. Days moved to suspend the rules, and take up, out of order, Assembly Bill No. 7, and have same read second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read second time, and amendments of committee, as follows, adopted:

1. Amend subdivision four, section one, by striking out the words "fifty per cent more than," on lines thirty-seven and thirty-eight, and inserting in lieu thereof the word "double."

2. Insert, after subdivision four, a new subdivision, to be known and numbered subdivision five, to read as follows: "Subdivision 5. In the purchase of or loan upon the stocks or bonds of the solvent corporations."

3. Amend subdivision five as follows: strike out the figure "5," and insert the figure "6," and strike out all after the word "upon," on line forty, and insert in lieu thereof the following: "merchandise afloat or ashore not exceeding seventy per cent of the value thereof."

4. Amend section six as follows: strike out the figure "6," and insert the figure "7."

5. Amend subdivision seven by adding thereto, after the word "market," on line forty-nine, the words "at the time of the investment."

Bill, as amended, ordered engrossed, and to a third reading.

Mr. Dougherty moved to suspend the rules, and take up, out of order, Senate Bill No. 92, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Read second time, and committee amendments, as follows, adopted:

1. Strike out the following words where they occur in section one of this bill, viz.: "Mayor and Board of Supervisors or Town Trustees of the cities and towns of this State," and insert in lieu thereof the following "municipality by its corporate name wherein the damage was sustained."

2. Strike out section two of this bill.

Bill, as amended, ordered engrossed, and to a third reading.

Mr. Lynch moved to extend the hour of adjournment until two o'clock and fifteen minutes P. M.

So ordered.

Mr. Steele moved to suspend the rules, and take up, out of order, Senate Bill No. 288, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 288—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Read first time, and placed on file for second reading.

Mr. Kellogg moved to suspend the rules, and take up, out of order, Senate Bill No. 176, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 176—An Act concerning municipal corporations.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—28.

NOES—None.

Title read and approved.

Mr. Reddy moved to suspend the rules, and take up, out of order, Assembly Bill No. 313, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read first time, and placed on file for second reading.

Mr. Del Valle moved to suspend the rules, and take up, out of order, Assembly Bill No. 33, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county governments," to be known as section one hundred and eighty-five.

Read first time, and placed on file for second reading.

Mr. Lowe moved to suspend the rules, and take up, out of order, Assembly Bill No. 93, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for the purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read first time, and placed on file for second reading.

Mr. Routier moved to suspend the rules, and take up, out of order, Senate Bill No. 89, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Read second time, and committee amendments, as follows, adopted :

1. Strike out the word "State" in the title of this bill, and insert in lieu thereof the word "public."
2. After the words "with any State," where they occur in section one of this bill, insert the words "or county, city, or city and county."
3. Strike out section two of this bill.

Bill, as amended, ordered engrossed, and to a third reading.

Mr. Lynch moved to suspend the rules, and take up, out of order, Assembly Bill No. 262, and read same third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read third time, and passed by the following vote :

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lynch, Mahler, Palmieri, Routier, Saxe, Spencer of Napa, Taylor, Wallis, and Wright—24.

NOES—None.

Title read and approved.

Mr. Mahler moved to suspend the rules, and take up, out of order, Assembly Bill No. 471, and read same second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read second time, as far as section two.

ADJOURNMENT.

At two o'clock and fifteen minutes P. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 2, 1885. }

The Senate met at one o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Senoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Dille.

Journal of Saturday, February 28, 1885, partially read, and, on motion of Mr. Days, further reading of the Journal was dispensed with, and Journal approved.

INTRODUCTION OF A BILL—(BY UNANIMOUS CONSENT).

By Committee on Finance: Senate Bill No. 326—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and State Senators for the twenty-sixth session of the Legislature.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Knight moved to suspend the rules, and to take up, out of order, Senate Bill No. 326, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 326—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and State Senators for the twenty-sixth session of the Legislature.

Read first time.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Senate Bill No. 326 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—34.

NOES—None.

Mr. Knight moved that the rules be suspended, and this bill be read second time.

Carried.

Senate Bill No. 326 read second time, ordered engrossed, and to a third reading.

Mr. McClure moved to substitute Assembly Bill No. 313 for Senate Bill No. 91.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

Mr. Kellogg offered the following resolutions, and asked that they be read for information:

Resolved, That a night session of this Senate be held on Monday night, commencing at seven o'clock and thirty minutes, and that the following order of business be adopted for such session, and that no other business shall be transacted, unless by unanimous consent of the Senate. Order of business for Monday evening, March 2, 1885: The Secretary shall call the roll of Senators in regular order, and when their names are called each Senator may move to take up one bill out of order on the files for consideration, and may be acted upon, provided that five or more Senators do not object, when the title is read, to so taking up the bill called for.

Mr. Vrooman moved to amend the resolution as follows: to strike out the order of business named, and insert the following:

Resolved, That there shall be an evening session, commencing at seven o'clock and thirty minutes this evening, to proceed with the regular order of business.

Mr. Del Valle moved to amend, by inserting the following order of business: to take up and read the first time the General Appropriation Bill, then to proceed with the regular order of business.

Amendment accepted by Mr. Vrooman.

Original resolution, as amended, adopted.

Also, the following:

Resolved, That the Secretary of the Senate be and he is hereby instructed that, in making up the files for Wednesday next, he shall place the Assembly Bills reported to this Senate first, upon the first, second, and third reading files (special and general as the rules provide), in their regular order as reported and now upon the files, or which may be reported back to the Senate by the committees.

On motion of Mr. Kellogg, the resolution was adopted.

Also, the following Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring, That this Legislature adjourn sine die at one o'clock P. M. on Saturday, March 7, 1885.

Mr. McClure moved to lay the concurrent resolution on the table.

So ordered, on a division of the Senate—ayes, 15; noes, 12.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 119, 236, 108, 317, 89, 12, 101, 325, 104, 71, 139, 120, 92, 174, 137, 190, 249, 86, 168, 285, and Assembly Bill No. 7—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 258—Entitled "An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Council of cities"—report same back to the Senate, and recommend its passage.

Also, Assembly Bill No. 339—Entitled an Act to provide that no compensation shall be paid to the Mayor or members of the Common Council of cities containing less than ten thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 168—An Act making an appropriation for deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Also, Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Also, Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure, for the thirty-second fiscal year.

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Also, Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Also, Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds for the thirty-second fiscal year.

Also, Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Also, Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind for the thirty-third fiscal year.

Also, Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing the State Normal School at San José for the thirty-third fiscal year.

Also, Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Also, Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Also, Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Also, Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Also, Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds—have had the same under consideration, and report the same back, with the recommendation that it do pass.

Also, Assembly Bill No. 77—An Act making appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Also, Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Also, Senate Bill No. 184—An Act for the relief of P. A. Forrester, providing for the payment to him of his salary and expenses of office as Commissioner of Immigration for the port of San Francisco, from April 1, 1883, to December 31, 1884.

Also, Senate Bill No. 290—An Act to amend sections three thousand seven hundred and thirty-one, three thousand eight hundred and forty, three thousand eight hundred and forty-five, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two, of an Act entitled "An Act to establish a Political Code," relative to the collection of poll taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

KNIGHT, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 164—Entitled "An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grant."

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof."

Also, Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan, in collections of claims due the State of California from the United States.

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

PETITION—(OUT OF ORDER).

Mr. Days presented a memorial from Eureka Assembly of the Knights of Labor of San Francisco, asking for passage of an eight-hour law, with a penalty for the violation thereof.

Referred to Committee on Labor and Capital.

RESOLUTION—(OUT OF ORDER).

By Mr. Spencer of Napa:

Resolved, That the sum of four dollars per day, from January 21 to March 5, 1885, be and the same is hereby allowed to G. B. Cosby, Jr., for pay as Porter of the Committees on Military Affairs, and Counties, County Governments, and Township Organization, and the Controller is hereby authorized to draw his warrant for the same out of the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL ORDER.

Senate Bill No. 50—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use.

Mr. Whitney moved to amend as follows: section eight, line five, strike out the words "application to the soil," and insert instead the word "utilization."

Adopted.

Mr. Whitney moved to amend as follows: section eleven, line two, strike out the words "when such use can be made without material diminution or defilement," and insert instead the words "and nothing herein contained shall be construed to affect any water or water rights diverted, appropriated, used, or claimed for mining purposes."

Adopted.

Mr. Whitney moved to amend as follows: section ten, line eight, after the word "district," insert the words "to works owned by private persons for the irrigation of their own lands exclusively."

Adopted.

Mr. Cross moved to amend as follows: amend section one, by inserting after the word "ponds," line one, the words "not applied to a beneficial use."

After discussion, Mr. Lowe moved to make the further consideration of this bill the special order for Wednesday next, at two o'clock P. M.

Lost on a division—ayes, 12; noes, 13.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That Rule Fifty be temporarily suspended for this day only, and that the Senate proceed with the consideration of bills on special orders and special and general files.

Ayes and noes demanded by Senators Cox, Kellogg, and Drum.

Roll called, and the resolution to suspend Rule Fifty lost by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Dougherty, Drum, Kelly, Kellogg, Langford, Lowe, Parker, Saxe, Spencer of Napa, Taylor, and Wallis—16.

NOES—Messrs. Beauvais, Cross, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Steele, Vrooman, Whitney, and Wright—21.

LEAVE OF ABSENCE.

Senator Parkinson was granted one day's leave of absence.

RESOLUTION (OUT OF ORDER).

Mr. Kellogg offered the following resolution:

Resolved, That the President of the Senate be authorized to appoint one Page for the Senate for the remainder of the session.

Adopted.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole, for the consideration of bills on irrigation and water rights.

IN SENATE.

At five o'clock P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—have amended the same, and do now report the same back, without recommendation; also, report back, without recommendation, Senate Bills Nos. 301, 201, and 207.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 326—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

The President announced the appointment of J. W. Toomey as Page for the remainder of the session.

LEAVE OF ABSENCE.

Senator Spencer of Stanislaus was granted one day's additional leave of absence.

MOTION.

Mr. Filcher moved to suspend the rules, and take up, out of order, Senate Bill No. 22, and read same second time.

So ordered.

RECESS.

At five o'clock and five minutes P. M., on motion of Mr. Spencer of Napa, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate reassembled. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmeri, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for the evening granted to Senators Steele, Parker, and Reddy.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Mr. Knight moved that Assembly Bill No. 37 be made the special order for to-morrow morning, immediately after reading the Journal. So ordered.

PETITIONS—(OUT OF ORDER).

Mr. Vrooman presented a petition from a number of millmen, lumber dealers, and other dealers in building materials who are deeply interested in the subject of a mechanics' lien law, praying for some enactment into the statute of some of the bills introduced relative to the subject.

Mr. Hurlburt presented petitions from citizens and taxpayers relating to the subject of horse racing, etc., and its abuse in connection with agricultural fairs.

REPORT OF STANDING COMMITTEE.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Substitute for Assembly Bill No. 72—An Act to amend an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, by amending and revising and subdividing into new sections section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one—have had the same under consideration, have amended the same, and respectfully report the same back, and recommend that it do pass, as amended.

D. SPENCER, Chairman.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Substitute for Assembly Bill No. 72, and read same first time.

Ayes and noes demanded on the motion, by Senators Spencer of Napa, Drum, and Creighton.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Taylor, Whitney, and Wright—27.

NOES—Messrs. Kellogg and Vrooman—2.

Mr. Spencer of Napa moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read

on three several days, and that Substitute for Assembly Bill No. 72 be considered read the first time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—31.

NOES—None.

Substitute for Assembly Bill No. 72 considered read first time, and on motion of Mr. McClure, ordered placed on special file, and that the bill be printed with amendments of the committee.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 225—An Act to amend an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be read first time.

FOSTER, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Military Affairs beg leave to report that they visited and inspected the militia, armories, ordnance, and accoutrements of the following companies, stationed at San José, San Francisco, Stockton, and Sacramento, comprising, in all, twenty-nine companies out of the forty composing the National Guard of the State. San José, Company "B," Fifth Infantry Battalion, commanded by Captain Whitton, did not turn out many men, in consequence of their being engaged at the time in transfer to a new armory, but everything appeared neat, clean, and orderly.

On Friday evening, February 6, 1885, we visited the companies composing the Second Brigade, at San Francisco, in the following order: Second Artillery Regiment, Companies "C," "D," and "H," at their headquarters, on Bush Street, commanded by Colonel Smedberg. These companies turned out full ranks, and their armories appeared in clean orderly condition. Thence to Company "F," Sutter and Powell Streets, where we were favorably impressed by the value and admirable condition of the company's outfit, and at the same time by the insecurity of the building for armory purposes. We inspected Light Battery "B," of the same regiment, at their armory, on Mission Street. The number of men present was small, but they executed well the drill and firings of the twelve-pound guns in their charge. A miniature battery was also exhibited. We then visited the quarters of the Gatling Battery, but the company, for want of proper notification, did not turn out. The guns of this company are in the upper story of a building on New Montgomery Street, instead of being in a more suitable place on the ground floor, where they could be ready of access on short notice. The First Infantry Regiment was found, like the Second, to be scattered in different armories. Companies "F," "C," and "G" were in line, and presented a very handsome appearance, in the brick armory on Post Street, owned by Company "C." The remaining five companies of this regiment turned out in very small numbers in their armory, corner of New Montgomery and Howard Streets, not having been properly notified. Four companies of the Third Infantry Regiment were inspected by us at their armory, and we take pleasure in testifying to the large turn out and the excellence of the drill and discipline displayed by these companies. The Hussars, the only Cavalry Company in San Francisco, also made a very creditable appearance, and their sword exercise was well executed.

On the whole, the militia of San Francisco and their Brigade Commander, General W. H. Dimond, deserve well of the State. In point of numbers, discipline, soldierly bearing, drill, and general efficiency, we believe they can compare favorably with any similar organization in the United States. A great drawback to the efficiency of this brigade is a want of a suitable armory or armories. The companies, instead of being scattered about in different and totally unfit armories, as they are at present, should be in some centrally located and properly constructed armories owned by the State.

The companies of the Fourth Brigade, at Sacramento, own their own armory at the corner of Sixth and L Streets. We were highly pleased at all we saw of the companies and their respective quarters in this building. This brigade is under the command of General Carey, and the regiment, known as the First Artillery, is under the immediate command of Colonel T. W. Sheehan. On the evening of our visit four companies of this regiment were exercised in the manual of arms, and showed remarkable proficiency in every respect.

Respectfully submitted.

DRUM, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DOUGHERTY, Chairman.

Hon. Benjamin Knight, President pro tem., in the chair.

Mr. Cross moved to suspend the rules, and that Senate Bill No. 249 be made the special order for to-morrow, at two o'clock p. m.

Ayes and noes demanded by Senators Routier, Chandler, and Palmieri.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, Palmieri, Saxe, Spencer of Napa, Taylor, and Wright—20.

NOES—Messrs. Chandler, Knight, Langford, McClure, Routier, Vrooman, and Whitney—7.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Also, Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Also, Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Also, Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Also, Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to holding a National Encampment of the Grand Army of the Republic in this State.

Also, Assembly Bill No. 503—An Act to amend section two thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also, Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

FRANK D. RYAN, Chief Clerk.

Assembly Bill No. 428 referred to Committee on Counties, County Governments, and Township Organization.

Senate Bill No. 309 referred to Committee on Enrollment.

Assembly Bills Nos. 131 and 138 referred to Committee on Finance.

Mr. Boone moved that the rules be suspended, and that Assembly Bill No. 572 be read first time.

Ayes and noes demanded by Senators Boone, Drum, and Days.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Kellogg, Lowe, Mahler, Palmieri, Saxe, Spencer of Napa, and Taylor—17.

NOES—Messrs. Beauvais, Chandler, Filcher, Foster, Johnson of San Bernardino, Knight, Langford, Lynch, McClure, Perry, Routier, Vrooman, Whitney, and Wright—14.

Assembly Bill No. 503 referred to Committee on Judiciary.

Assembly Bill No. 398 referred to Committee on Apportionment and Representation.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Also, Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Also, Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Thirteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for payment of the same.

Also, Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Also, Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Also, Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

Also, Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Also, Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party of interest for the thirty-fifth fiscal year.

FRANK D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Assembly Bill No. 488 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bill No. 459, on motion of Mr. Lynch, was ordered placed on file.

Assembly Bill No. 575 referred to Committee on Finance.

Assembly Bill No. 562, on motion of Mr. Cox, was ordered placed on file.

Assembly Bills Nos. 129 and 455 referred to Committee on Finance.

Assembly Bill No. 244 referred to Committee on Public, Swamp, and Overflowed Lands.

Assembly Bills Nos. 133 and 213 referred to Committee on Finance.

President Daggett in the chair.

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Senate Bill No. 202, and read same first time.

Ayes and noes demanded by Senators Lynch, Spencer of Napa, and Taylor.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Cox, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Spencer of Napa, Taylor, and Wright—11.

NOES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Palmieri, Perry, Routier, Saxe, Vrooman, and Whitney—20.

SPECIAL FILE—THIRD READING.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hun-

dred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, and to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—28.

NOES—Messrs. Kellogg and Perry—2.

Title read and approved.

Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing, and appropriating money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Taylor, Whitney, and Wright—31.

NOES—Messrs. Hurlburt and Vrooman—2.

Title read and approved.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Mahler, Palmieri, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—26.

NOES—Messrs. Filcher, Lynch, and McClure—3.

Title read and approved.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Read third time, and passage refused by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Hurlburt, Kelly, Knight, Mahler, Palmieri, Perry, Saxe, Spencer of Napa, Taylor, Vrooman, and Wright—20.

NOES—Messrs. Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lynch, McClure, Routier, and Whitney—9.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—30.

NOES—None.

Title read and approved.

Mr. Foster gave notice that, on to-morrow, he should move for a reconsideration of the vote whereby Assembly Bill No. 264 was refused passage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight, of chapter six, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the power of Boards of Trustees and Boards of Education, in municipal corporations of the fifth class, to incur indebtedness in excess of money in the Treasury applicable to the purposes for which such indebtedness is to be incurred—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

G. A. JOHNSON, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Education have had under consideration Assembly Bill No. 301—Entitled "An Act to amend section one thousand six hundred and sixty-five of the Political Code, in relation to public schools and the branches of instruction to be given therein"—and report the same back, with recommendation that it do pass, as amended.

Also, Assembly Bill No. 300—Entitled "An Act to amend section one thousand seven hundred and seventy-two of the Political Code, relating to public schools and the examination and certificates of teachers"—report the same back, with recommendation that it do pass, as amended.

Also, Senate Bill No. 60—Entitled "An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school text-books"—and report the same back, without recommendation.

Also, Senate Bill No. 135—Entitled "An Act to amend section one thousand five hundred and forty-three of the Political Code, in relation to the duties of School Superintendents"—report the same back, without recommendation.

Also, Senate Bill No. 244—Entitled "An Act to change the official name of the Deaf, Dumb, and Blind Asylum"—report the same back, and recommend that it do not pass.

Also, Assembly Concurrent Resolution No. 18—Relative to furnishing certain books to institutions—report the same back, with the recommendation that it do pass.

G. A. JOHNSON, Chairman.

SECOND READING OF BILLS.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read second time, and amendments of the committee, as follows, adopted:

Amend section one, line two: insert, after the word "open," the words "or dedicated."

Amend section one, line two: insert, after the word "opened," the words "or dedicated."

Amend section two, by striking out the word "sidewalks," in line three thereof.

Amend section three, line two: insert, after the word "resolution," the words "of intention."

Amend section three, line five: insert, after the words "at all," the following: "or when the work to be done is the improvement of an entire crossing in front of each quarter block liable to be assessed."

Amend section three, line eleven: insert, after the words "period of," the word "five."

Amend section three, line thirteen: insert, before the word "insertion," the word "one."

Amend section three, line thirteen: after word "improvement," insert the words "where the same is for one block or more."

Amend section three, page two, by inserting, after the first word, "who," in line twenty-one thereof, the words "after the first publication of said resolution of intention."

Amend section three, page two, by inserting, after the second word "the," in line twenty-two, the words "performance of the."

Amend section three, line twenty-three: insert, after the word "who," where it first occurs, the words "after the first publication of said resolution of intention."

Amend section three, line twenty-five: insert, after the words "to the," the words "performance of the."

Amend section three, line twenty-five: insert, after the word "objector," the words "or his agent, when he appears for such objector."

Amend section three, page three, by striking out all after the word "therein," on line thirty-four thereof, down to and including the word "owners," on line forty-four thereof, and insert in lieu thereof the following: "And when not more than two blocks remain ungraded between one or more blocks on each side thereof, which have been graded, said City Council may order that part of said street or highway so remaining ungraded, not exceeding two blocks, to be graded and improved, and the grading and improvement of said two blocks or less shall not be stayed or prevented by any written or other objection, unless such Council shall deem proper. And, if one half or more in width, or in length, or as to grading one half or more of the grading work, of any street lying and being between two successive main street crossings, or if a crossing has been already graded or improved as aforesaid, said Council may order the remainder improved, graded or otherwise, notwithstanding such objections of property owners."

Amend section three, line thirty-eight: insert, after the word "therein," the following: and when not more than two blocks remain ungraded between one or more blocks on each side thereof, which have been graded, said City Council may order that part of said street or highway so remaining ungraded, not exceeding two blocks, to be graded and improved, and the grading and improvement of said two blocks or less shall not be stayed or prevented by any written or other objection, unless such Council shall deem proper. And if one half or more in width or in length, or as to grading, one half or more of the grading work, of any street lying and being between two successive main street crossings, or if a crossing has been already graded or improved as aforesaid, said Council may order the remainder improved, graded or otherwise, notwithstanding such objections of property owners.

Amend section three, line forty-eight: insert, before the words "of any resolution," the words "and at the expiration of fifteen days after the posting."

Amend section three, line fifty-five: insert, after the words "of said city," the following: and for the work of constructing sewers, specification shall always be furnished by him; also, whenever the estimated or actual cost of any work contemplated or ordered to be done by the City Council, and chargeable under the provisions of this Act against any lot or lots of land, or the owner thereof, shall exceed one half of the assessed value of such lot or lots as borne upon the last assessment roll whereon it was assessed, made for the levying of taxes for municipal purposes, the amount of the cost of said work, exceeding said one half of the assessed value of said lot or lots, shall be paid out of the City Treasury, unless the owner of such lot or lots shall, in writing, signed by himself or his authorized agent, consent that the whole expense of said improvement may be made a charge against said lot or lots.

Amend section four, line five: insert, after the word "been," the words "posted and."

Amend section five, line six: insert the following: "for an amount which shall not be less than ten per cent of the aggregate of the proposal."

Amend section five, page four, by inserting, after the word "checks," on line eighteen thereof, the words "and bonds."

Amend section five, line twenty-six: insert, after the word "streets," the following: "and any bond forfeited may be prosecuted, and the amount due thereon collected and paid into said fund."

Amend section five, line twenty-seven: insert, after the words "shall be," the word "posted."

Amend section five, line thirty-two: insert, after the word "within," the word "ten."

Amend section five, line thirty-two: insert, after the word "first," the word "posting."

Amend section five, line thirty-five: insert, after the word "said," the word "ten."

Amend section five, line thirty-six: insert, after the word "within," the word "fifteen."

Amend section five, line forty: insert, after the word "first," the word "posting."

Amend section five, page five, by striking out the words "of the Mayor," and inserting in lieu thereof on line fifty, the words "and approval of the Superintendent of Streets."

Amend section six, line four: insert, after the word "commencement," the following: "which shall not be more than fifteen days from the date of the contract."

Amend section six, line ten: insert, after the word "shall," the following: "comply with the specifications and be to the satisfaction of."

Amend section six, line fourteen: insert, after the word "assessed," the following: "the City Council may, by ordinance, prescribe general rules directing the Superintendent of Streets and the contractor as to the material to be used, and the mode of executing the work, under all contracts thereafter made."

Amend section seven, line two: insert, after the word "act," the following: "which shall not include such portion of any street as is required by law to be kept in order or repair by any person or company having railroad tracks thereon."

Amend section seven, subdivision two, on line fifteen: insert, after the word "the," the word "streets."

Amend section seven, subdivision three, on line twenty-one: insert, after the word "assessed," the following: "at a uniform rate per front foot of the four quarter blocks adjoining and cornering upon the crossing, and separately upon the whole of each lot or portion of a lot having any frontage in the quarter blocks fronting on said main streets, but only according to its frontage in said quarter blocks."

Amend section seven, subdivision ten, on line seventy-six: insert, after the word "filling," the following: "or if the grade has meanwhile been duly altered, only for so much of said certificated work as would be required for grading to the altered grade."

Amend section seven, subdivision ten, on line eighty-two: insert, after the word "office," the following: "or for the whole of said grading to the duly altered grade so much of said certificated work as would be required for grading thereto."

Amend section seven: add a new subdivision: after line eighty-nine add the following:

Subdivision Eleven—The City Council may include in one resolution of intention and order any of the different kinds of work mentioned in section two of this Act, and it may except therefrom any of said work already done upon the grade. The lots and portions of lots fronting upon said excepted work shall not be included in the frontage assessment for the class of work from which the exception is made: *provided*, that this shall not be so construed as to affect the special provisions as to grading contained in subdivision ten of this section.

Amend section ten: on line twenty-three insert, after the word "office," the following: "on the payment to him of the amount of the assessment against any lot with interest, or."

Amend section ten: on line thirty-one insert, after the word "of," the word "the," and after the word "per," the word "annum."

Amend section eleven, line four, by inserting, after the word "thereto," the following: "or who claim that the work has not been performed according to the contract in a good and substantial manner, or,"

Amend section sixteen, on line three: insert, after the word "fee," the following: "or the person in whom, on the day the action is commenced, appears the legal title to the lots and lands, by deeds duly recorded in the County Recorder's office of each county."

Amend section nineteen, on line six: insert, after the word "himself," the following: "who must also verify the service thereof, and."

Amend, by adding a new section, as follows:

Sec. 20. Whenever any street, or portion of a street, has been or shall hereafter be fully constructed to the satisfaction of the Superintendent of Streets and of the City Council, and is in good condition throughout, and a sewer, gas pipes, and water pipes are laid therein, under such regulations as the City Council shall adopt, the same shall be accepted by the City Council, by ordinance, and thereafter shall be kept in repair and improved by the said municipality; the expense thereof, together with the assessment for street work done in front of city property, to be paid out of a fund to be provided by said Council for that purpose: *provided*, that the City Council shall not accept of any portion of the street less than the entire width of the roadway (including the curbing), and one block in length, or one entire crossing; and, *provided further*, that the City Council may partially or conditionally accept any street, or portion of a street, without a sewer, or gas pipes, or water pipes therein, if the ordinance of acceptance expressly states that the Council deems such sewer, or gas pipes, or water pipes, to be then unnecessary, but the lots of land previously or at any time assessable for the cost of constructing a sewer, shall remain and be assessable for such cost, and for the cost of repairs and restoration of the street damaged in the said construction, whenever said Council shall deem a sewer to be necessary, and shall order it to be constructed, the same as if no partial or conditional acceptance had ever been made. The Superintendent of Streets shall keep in his office a register of all streets accepted by the City Council under this section, which register shall be indexed for easy reference thereto.

Amend section twenty-three, on line eleven: insert, after the word "sustain," the following: "*provided*, that said Superintendent has the authority to make said repairs, under the direction of the City Council, at the expense of the city."

Amend section twenty-four, on line two: insert, after the word "manholes," the following: "and provide for the cleaning of the same."

Amend section twenty-five, on line six: insert, after the word "any," the following: "unaccepted street or part of a:" also, after the word "sidewalk," on line eight, the following: "or new sewers."

Amend section twenty-six, on line nine: insert, after the word "provided," the following: "and whenever the City Council shall order to be done any of the work mentioned in section two of this Act, it shall be deemed to exercise its discretion mentioned in this section, and to include an order for the payment out of its treasury for the excess of any assessment for said work otherwise chargeable upon any lot, or portion of a lot, over and above one half of the valuation of said lot, or portion of a lot, in its last preceding assessment for municipal taxation."

Amend section twenty-seven: on line four, insert, after the word "prescribe," the following: "and the lien therefor upon said property shall be the same as is provided in section nine of this Act."

Amend section thirty-four, on line one: insert, after the word "Engineer," the following: "or where there is no City Engineer, the County or City and County Surveyor;" also, on line eleven, after the word "appointed," the following: "said City Council is hereby empowered to fix his compensation for said services;" also, on line twenty, after the word "notices," the following: "resolutions, orders, or other matter," also, on line forty, between the words "and" and "hereby," insert the word "are."

Amend section thirty-four, by striking out lines fifty-eight, fifty-nine, sixty, and sixty-one, and insert in lieu thereof the following:

Thirteenth—The term "quarter blocks," as used in this Act, as to irregular blocks, shall be deemed to include all lots, or portions of lots, having any frontage on each intersecting street, half way from said crossing or intersection to the next main street.

Amend section thirty-six, on line three: insert, after the word "repealed," the following: "*provided*, that any work or proceedings commenced thereunder prior to the passage of this Act shall in nowise be affected hereby, but shall in all respects be finished and completed under said Act of March 6, 1883, and said repeal shall in nowise affect said work or proceedings."

Senate Bill No. 79 ordered engrossed, as amended, and to a third reading.

Senate Bill No. 324—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

On motion of Mr. Boone, this bill was passed on file.

NOTICE.

Mr. Del Valle gave notice as follows: I hereby give notice that, on to-morrow, I will introduce the following resolution, amending the Standing Rules of the Senate:

Resolved, That the Standing Rules of the Senate be amended by striking out Rule Fifty.

Referred to Committee on Standing Rules.

On motion of Mr. Saxe, Senate Bill No. 119 was made the special order for to-morrow, at three o'clock P. M.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, to whom was referred Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CREIGHTON, Chairman.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the insane asylums, in lieu of per diem and expenses.

Mr. Lowe offered the following amendment: strike out all after the word "Prisons," on line two, and insert the following: "actual expenses and seven dollars per diem."

Mr. Hurlburt moved to amend, by striking out the words "seven dollars," and insert in lieu thereof the words "five dollars."

Mr. Johnson of San Bernardino moved to strike out the enacting clause.

Ayes and noes demanded by Senators Taylor, Perry, and Creighton. Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Days, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Mahler, McClure, and Saxe—11.

NOES—Messrs. Beauvais, Chandler, Creighton, DeLong, Del Valle, Dougherty, Filcher, Foster, Kelly, Lowe, Lynch, Palmieri, Perry, Routier, Spencer of Napa, Taylor, and Wright—17.

The question recurring on the amendment to the amendment, the same was adopted.

The amendment, as amended, adopted.

Mr. Filcher offered the following amendment, to come after amendment adopted: add "for the time necessarily consumed in delivering such prisoners."

Adopted.

Mr. Filcher moved to amend section two as follows: strike out all of section two after the word "Asylum," and insert "his actual expenses and the same per diem as is allowed in section one of this Act."

Adopted.

Bill read second time.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Taylor, Dougherty, and Lynch.

Roll called, and the bill ordered engrossed, and to a third reading, by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, DeLong, Del Valle, Dougherty, Filcher, Foster, Johnson of Sonoma, Kelly, Lowe, Lynch, McClure, Palmieri, Perry, Routier, Spencer of Napa, Taylor, and Wright—20.

NOES—Messrs. Baldwin, Boone, Cross, Days, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Langford, Mahler, and Saxe—11.

Mr. Del Valle moved to suspend the rules, and take up, out of order, Assembly Bill No. 23, and read same second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive, and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Read second time, and, on motion of Mr. Del Valle, made the special order for to-morrow morning, to follow special order already set.

ADJOURNMENT.

At ten o'clock and thirty-six minutes P. M., on motion of Mr. Saxe, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 3, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Walls, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. McClure, further reading of the Journal was dispensed with, and the Journal approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Whitney:

Resolved, That the Committee of the Whole, at its next session, be instructed to immediately report back to the Senate all bills that have been referred to it without recommendation.

On motion of Mr. Whitney, the resolution was adopted.

SPECIAL ORDERS.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Section one read second time, and amendments of the committee, as follows, adopted:

Amend section one, line eleven, by striking out the word "fifteen," and inserting the word "ten."

Amend section one, line twelve, by striking out the words "twenty-one thousand five hundred," and inserting the words "fifteen thousand."

Strike out of section one all of lines nineteen and twenty.

Amend section one, line twenty-eight, by striking out the words "thirty-seven thousand nine hundred and eight," and inserting the words "thirty-two thousand eight hundred."

Amend section one, line forty-two, by striking out the words "one thousand," and inserting the words "seven hundred and fifty."

Amend section one, line ninety-nine, by striking out the word "two," and inserting the word "three."

Amend section one, by inserting, after line one hundred and three, the following: "For expenses of encampment of National Guard, twenty thousand dollars, to be expended in one or two years, as the Board of Location and Organization may direct."

Strike out, in section one, lines one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, and one hundred and twenty-six.

Amend section one, line one hundred and twenty-nine, by striking out the word "four," and inserting the word "three."

Amend section one, by inserting, after line one hundred and sixty-nine, the following: "For repairing and improvement of the grounds and walks on the east side of the State Capitol building, twenty-five hundred dollars, to be exempt from the provisions of section four of this Act."

Amend section one, by inserting, after the line two hundred and three, the following: "For heating apparatus and repairing of the old building of the Insane Asylum at Stockton, twenty-five thousand dollars, to be exempt from the provisions of section four of this Act."

Amend section one, by inserting, between the lines two hundred and one and two hundred and two, on page seven, the following:

For repairing and building fences upon and around the grounds of the Asylum for the Deaf and Dumb, and the Blind, at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For the improvement of the grounds of the Deaf and Dumb, and the Blind Asylum at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For the building of a barn, stable, and cowhouses, at the Deaf and Dumb, and the Blind Asylum at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For fitting up a gymnasium at the Deaf and Dumb, and the Blind Asylum at Berkeley, one thousand dollars, to be exempt from the provisions of section four of this Act.

Amend section one, by inserting after the word "dollars," on line one hundred and ninety-nine, the words "to be exempt from the provisions of section four of this Act."

Amend section one, by inserting after the word "dollars," on line two hundred and one, the words "to be exempt from the provisions of section four of this Act."

Committee amendment: amend section one, line two hundred and ten, by striking out the word "sixty," and inserting the word "twenty-five."

After debate, the ayes and noes were demanded by Senators DeLong, Reddy, and Perry, on the adoption of the above amendment.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Days, DeLong, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lowe, McClure, Parker, Parkinson, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—26.

NOES—Messrs. Baldwin, Creighton, Cross, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Langford, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Napa, and Taylor—17.

Committee amendment: strike out, in section one, lines two hundred and thirty-nine and two hundred and forty.

After debate, the ayes and noes were demanded by Senators Dougherty, Drum, and Johnson of San Bernardino, on the adoption of the above amendment.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Filcher, Johnson of San Bernardino, Kellogg, Knight, Lowe, Mahler, McClure, Parker, Parkinson, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright—18.

NOES—Messrs. Baldwin, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of Sonoma, Kelly, Lynch, Palmieri, Perry, Reddy, Spencer of Napa, Steele, and Taylor—20.

Additional amendments of the committee to section one, as follows, adopted:

Amend section one, lines two hundred and forty-two and two hundred and forty-three, by striking out the words "one thousand five hundred," and inserting the words "one thousand."

Strike out of section one, lines two hundred and seventy-seven, two hundred and seventy-eight, and two hundred and seventy-nine.

Amend section one, line two hundred and eighty-one, by inserting after the word "dollars," the words "to be exempt from the provisions of section four of this Act."

Amend section one, by adding, after line two hundred and ninety-eight, the following: "For the construction of a main sewer from Shattuck Avenue to the Bay of San Francisco, in the Town of Berkeley, for the benefit and use of the State University, and the Deaf and Dumb, and the Blind Asylum at Berkeley, the sum of fifteen thousand dollars, to be exempt from the provisions of section four of this Act, and to be paid to the Town Treasurer of the Town of Berkeley, upon the completion of said sewer."

Amend section one, by inserting, after line three hundred, the following: "For two years' salary of Secretary of Penology Commission, thirty-two hundred dollars."

Mr. McClure moved to extend the hour of recess, until after the consideration of the bill under discussion.

So ordered.

Mr. Perry moved to amend section one, line seven, on page seven, by inserting the following between lines two hundred and thirteen and two hundred and fourteen: "For the building of an iron roof over the cell building of the branch State Prison at Folsom, twenty-seven thousand dollars."

Adopted.

Mr. Whitney moved to reconsider the vote whereby committee amendment to strike out lines one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, and one hundred and twenty-six, was adopted

Lost.

RECESS.

At twelve o'clock and forty minutes P. M., on motion of Mr. Knight, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 320—An Act to add a section to the Civil Code, relating to insurance.

Also, Senate Bill No. 308—An Act to provide for the granting of franchises to use streets, and for the use of streets, in incorporated cities and counties, cities, or towns, and for the transportation of passengers therein.

Have had the same under consideration, and respectfully report the same back and recommend that they do not pass.

Also, Senate Bill No. 144—Entitled "An Act to provide for taxes upon the income of railroad companies or corporations, and every other company or corporation whose property is devoted to or affected by a public use, who shall fail to pay their property taxes—have had the same under consideration, and do now report the same back to the Senate, with a substitute, which was presented by the author therefor, and recommend that it do not pass.

KELLOGG, Chairman.

Mr. McClure moved that Senate Bill No. 249, the special order for two o'clock P. M. to-day, be made the special order for to-morrow, at two o'clock P. M., notwithstanding the resolution of Mr. Kellogg, adopted yesterday.

So ordered.

Consideration of Assembly Bill No. 37 resumed:

Mr. Spencer of Napa moved to amend section one as follows: amend to strike out of section one, page seven, all on lines two hundred and seven and two hundred and eight.

Adopted.

Section two read second time.

Section three read second time, and amendment of committee, as follows, adopted:

Amend section three, by inserting, after the word "law," line twelve, the following: "and, *provided further*, that all officers or persons having money in their possession belonging to the State, shall pay the same into the State Treasury within ninety days after the passage of this Act, and none of said money shall be drawn from the Treasury except in the manner provided by law."

Second reading of Assembly Bill No. 37 completed, and the bill, as amended, ordered engrossed, and to a third reading.

Mr. Knight moved that Assembly Bill No. 37 be made the special

order for to-morrow, immediately after reading of the Journal, notwithstanding the resolution of Mr. Kellogg, adopted yesterday.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the accompanying statement of mileage due the Committee on Public Buildings:

The State of California, to the Committee on Public Buildings, Dr.

| NAME. | Miles. | Amount. |
|--|--------|----------|
| To mileage as follows: | | |
| Senator Vrooman—To Berkeley and return, from Sacramento..... | 192 | \$19 20 |
| Senator Creighton—To San José and return, via Berkeley..... | 292 | 29 20 |
| Senator Lowe—To Napa and return..... | 122 | 12 20 |
| Senator Days— | | |
| To Berkeley and return..... | 192 | |
| To Stockton and return..... | 96 | |
| To Napa and return..... | 122 | |
| | 410 | 41 00 |
| Senator Baldwin— | | |
| To San José and return, via Berkeley..... | 292 | |
| To Stockton and return..... | 96 | |
| To Napa and return..... | 122 | |
| | 510 | 51 00 |
| Taylor, Clerk of Committee— | | |
| To San José and return, via Berkeley..... | 292 | |
| To Stockton and return..... | 96 | |
| To Napa and return..... | 122 | |
| | 510 | 51 00 |
| Total amount due..... | | \$203 60 |

I believe the above to be correct.

BALDWIN, Chairman.

Attest: A. A. TAYLOR, Clerk of Committee.

Have had the same under consideration, and respectfully report the same back, and recommend that, in accordance therewith, the Controller be and he is hereby authorized and instructed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of Mr. Baldwin, Chairman of Committee on Public Buildings, for the sum of two hundred and three dollars and sixty cents.

Also:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of E. F. Drum, for mileage account of Senate Committee on Military Affairs, for the sum of one hundred and five dollars and sixty cents, as per statement herewith:

| NAME. | Miles. | Amount. |
|-----------------------------|--------|---------|
| Senator Lowe— | | |
| To Stockton and return..... | 96 | \$9 60 |
| To San José and return..... | 256 | 25 60 |
| Totals..... | 352 | \$35 20 |

| NAME. | Miles. | Amount. |
|------------------------------|--------|---------|
| Senator Drum— | | |
| To Stockton and return | 96 | \$9 60 |
| To San José and return | 256 | 25 60 |
| Totals | 352 | \$35 20 |
| Clerk Corcoran— | | |
| To Stockton and return | 96 | \$9 60 |
| To San José and return | 256 | 25 60 |
| Totals | 352 | \$35 20 |

Have had the same under consideration, and respectfully report the same back, and recommend that, in accordance therewith, the Controller be and he is hereby directed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of Senator Drum, Chairman of the Committee on Military Affairs, for the sum of one hundred and five dollars and sixty cents, the same being for mileage.

Also, submit the following resolution :

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of Klune & Floberg, for seven dollars, the same being for repairing and cleaning clock in Senate Chamber.

Also, your committee recommend the following resolution :

Resolved, That the Controller be authorized and he is hereby directed to draw his warrant in favor of Senator Perry for mileage to Folsom and return, on behalf of the Prison Committee, for the sum of four dollars and eighty cents.

Also, submit the following resolutions :

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of C. H. Rave, payable out of the Contingent Fund of the Senate, for the sum of forty-five dollars, the same being payment for locks, keys, etc., furnished Senate Chamber and committee rooms.

Also :

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, for the sum of sixteen dollars, in favor of Mrs. Mains, the same being for laundry work in connection with the towels of the Senate.

Also :

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of the Capital Ice Company, for thirty-three dollars and seventy-five cents, the same being payment for ice furnished in the Senate Chamber and adjacent rooms.

Also :

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Benjamin Knight, for the sum of thirty dollars, on account of mileage of Senator Saxe and Clerk Plant to Grass Valley and return, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LYNCH, Chairman.

SPECIAL ORDER.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State

Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer, on deposit or otherwise.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright—34.
 NOES—Messrs. Baldwin, Langford, and Lynch—3.

Title read and approved.

RECONSIDERATION.

Mr. Knight moved to reconsider the vote whereby Assembly Bill No. 264 was refused passage on yesterday.

So ordered.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Baldwin, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, and Perry—7.

Title read and approved.

Mr. Chandler moved to make Assembly Bill No. 221, the special order for two o'clock and thirty minutes P. M. to-day, the special order for to-morrow, at two o'clock and thirty minutes P. M., notwithstanding the resolution of Mr. Kellogg, adopted yesterday.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Also, Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Also, Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Also, Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Also, Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Also, Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Also, Assembly Bill No. 297—An Act to amend the Code, in relation to the taxation of ferry-boats and all water crafts.

Also, Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Also, Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Also, Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year. Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNIGHT, Chairman.

ON CAPITAL AND LABOR.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Capital and Labor, to whom was referred the memorial of Eureka Assembly, Knights of Labor, asking for the enactment of an eight-hour statute, which shall apply to all persons within the jurisdiction of the law-making power—beg leave to report that, while your committee would gladly take into consideration this important subject, the shortness of the time now available, and the magnitude of the task, induce us to think that any attempt to pass such a bill would be useless. The attempt to do so could only result in fruitlessly consuming the few precious hours yet remaining of the session. Your committee, however, is of the opinion that such a law would result in materially ameliorating the condition of the working classes, and that, if one can constitutionally be enacted, the Legislature ought soon to take some action on the subject. Your committee recommends that the memorial be placed on file.

J. T. DOUGHERTY,
J. M. DAYS,
J. LYNCH,
A. L. CHANDLER,
D. J. CREIGHTON,
Committee.

On motion of Mr. Days, the foregoing report was ordered printed.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 263—Entitled "An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, seven hundred and eighty-nine, and to repeal section seven hundred and fifty-eight of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,'" approved March 13, 1883—have had the same under consideration, and report the same back to the Senate, and recommend that it do pass.

Also, Assembly Bill No. 447—Entitled "An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,'" approved March 13, 1883—have had the same under consideration, and report the same back to the Senate, and recommend that it do pass, as amended.

Also, Assembly Bill No. 61—Entitled an Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and report the same back to the Senate, and recommend that it do not pass.

G. A. JOHNSON, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 309—Entitled "An Act to appropriate money for the support of the Bureau of Labor Statistics."

And has been placed in the hands of the Governor.

COX, Chairman.

ON CAPITAL AND LABOR.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Capital and Labor, to whom was referred Senate Bill No. 279—An Act to secure the payment of workmen for the labor performed, or material furnished, either by contract or otherwise—have had the same under consideration, and respectfully report the same back, without recommendation.

DOUGHERTY, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 3, 1885. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 20—An Act to require the payment of certain premiums to counties and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Also, Senate Bill No. 73—An Act to grant to Boards of Health or Health Officers, in cities and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Also, Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Also, Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Also, Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of Yosemite Valley and Mariposa Big Tree Grant.

Also, Senate Bill No. 16—An Act to amend section one thousand five hundred and fifty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of the Law, San Francisco.

Also, Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or other governing body, of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Also, Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways.

Also, Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relating to roads and highways.

FRANK D. RYAN, Chief Clerk.
By A. SMITH, Assistant Clerk.

Senate Bill No. 124 referred to Committee on Enrollment.

Assembly Bills Nos. 450, 40, and 160, placed on file.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendment to Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

FRANK D. RYAN, Chief Clerk.

Mr. Del Valle moved that Assembly Bill No. 23 be transmitted to the Assembly immediately.

So ordered.

Mr. Cross moved that all standing committees of the Senate be requested to report back all bills to the Senate, at eleven o'clock to-morrow morning.

So ordered.

Mr. Cross moved that all Assembly Bills hereafter be placed on file without referring same to committees.

So ordered.

Mr. Baldwin moved to re-refer Senate Joint Resolutions Nos. 3 and 4 to Committee on Federal Relations.

So ordered.

Mr. Johnson of Sonoma moved to suspend the rules, and take up, out of order, Senate Bill No. 285, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 285—An Act to amend section two thousand six hundred and eighty-two of the Political Code, relative to roads and highways.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Frieler, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, and Whitney—34.

NOES—None.

Title read and approved.

Mr. Johnson of Sonoma moved that Senate Bill No. 285 be transmitted to the Assembly immediately.

So ordered.

Mr. Days moved to suspend the rules, and take up, out of order, Senate Bill No. 112, and have the same read second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

Read second time, and amendments of the committee, as follows, adopted:

Amend section one, by striking out the words "mining claims," on line seven, of page one.

Amend section one, by inserting, after the word "otherwise," on line twelve, of page two, the following: "and any person who performs labor in any mining claim or claims, has a lien upon the same and the works owned and used by the owners for reducing the ores from such mining claim or claims, for the work or labor done or materials furnished by each respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent; and every contractor, sub-contractor, architect, builder, or other person having charge of any mining, or of the construction, alteration, or repair, either in whole or in part, of any building or other improvement, as aforesaid, shall be held to be the agent of the owner, for the purposes of this chapter."

Bill ordered engrossed, as amended, and to a third reading.

Mr. McClure moved to suspend the rules, and take up, out of order, Senate Bill No. 90, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and food and drugs, to prevent the adulteration of the same.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright—35.

NOES—None.

Title read and approved.

Mr. Saxe moved that Senate Bills Nos. 119 and 90 be transmitted to the Assembly immediately.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 326—An Act to appropriate money to provide for the deficiency in the appropriation for pay and mileage of the Lieutenant-Governor and Senators for the twenty-sixth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, Whitney, and Wright—35.

NOES—None.

Title read and approved.

Senate Bill No. 326 transmitted to the Assembly, by order of the Senate.

CONSIDERATION OF BILL—(OUT OF ORDER).

Mr. Whitney moved to suspend the rules, and take up, out of order, Senate Bill No. 51, and read same third time.

So ordered.

Senate Bill No. 51—An Act to amend section four hundred and

thirty-three of the Political Code, relative to the duty of the Controller.

Mr. McClure moved to postpone further consideration of this bill until eight o'clock this evening.

Mr. McClure withdrew his motion.

Mr. Whitney moved to suspend the rules, and take up, out of order, Senate Bill No. 134, and read same third time.

So ordered.

At three o'clock and thirty minutes P. M., under Rule Fifty, the President declared the Senate in Committee of the Whole, for the consideration of bills on irrigation and water rights.

IN SENATE.

At three o'clock and thirty-five minutes P. M.

President Daggett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The President reported that the Committee of the Whole have had under consideration Senate Bill No. 297, Assembly Concurrent Resolution No. 3, Assembly Bill No. 170, and Assembly Bill No. 171, and report the same back, without recommendation.

RESOLUTION.

By Mr. Del Valle:

Resolved, That the Standing Rules of the Senate be amended by striking out Rule Fifty.

Adopted.

Consideration of Senate Bill No. 134 resumed.

THIRD READING OF BILL.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Taylor, Vrooman, Wallis, Whitney, and Wright—29.

NOES—Messrs. Del Valle, Drum, Kellogg, Perry, Reddy, and Spencer of Napa—6.

Title read and approved.

Mr. Whitney moved that Senate Bill No. 134 be transmitted to the Assembly immediately.

So ordered.

Mr. Johnson of San Bernardino moved to suspend the rules, and take up, out of order, Senate Bill No. 241, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Whitney—36.

NOES—None.

Title read and approved.

Mr. Boone moved to suspend the rules, and take up, out of order, Senate Bill No. 71, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 71—An Act to regulate the height of division fences in cities and towns.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—33.

NOES—Mr. Filcher—1.

Title read and approved.

Mr. Kellogg moved to suspend the rules, and take up, out of order, Senate Bill No. 108, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—35.

NOES—None.

Title read and approved.

Mr. DeLong moved to suspend the rules, and take up, out of order, Senate Bill No. 190, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Taylor, Vrooman, Wallis, Whitney, and Wright—34.

NOES—Mr. Spencer of Napa—1.

Title read and approved.

Mr. Saxe moved to suspend the rules, and take up, out of order, Senate Bill No. 137, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Vrooman moved to suspend the rules, and take up, out of order, Senate Bill No. 120, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. T. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—Mr. Spencer of Napa—1.

Title read and approved.

Mr. Kellogg moved to transmit all bills to the Assembly that have already passed, or may be passed to-day, unless objection is raised upon any bill.

So ordered.

Mr. Parker moved to suspend the rules, and take up, out of order, Senate Bill No. 101, and read same third time.

Ayes and noes demanded by Senators Reddy, Days, and Baldwin.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Days, DeLong, Hurlburt, Johnson of San Bernardino, Knight, Lowe, McClure, Parker, Parkinson, Perry, Routier, Saxe, Vrooman, Whitney, and Wright—19.

NOES—Messrs. Baldwin, Cox, Cross, Del Valle, Dougherty, Drum, Filcher, Langford, Lynch, Mahler, Reddy, Spencer of Napa, and Wallis—13.

Mr. Routier moved to suspend the rules, and take up, out of order, Senate Bill No. 89, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Read third time, and passed by the following vote:

AYES—MESSRS. Baldwin, Beauvais, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Whitney, and Wright—25.

NOES—MESSRS. Boone, Chandler, Cox, Del Valle, Filcher, Foster, Mahler, Parker, Reddy, Spencer of Napa, and Wallis—11.

Title read and approved.

Mr. Dougherty moved to suspend the rules, and take up, out of order, Senate Bill No. 92, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Read third time, and passed by the following vote:

AYES—MESSRS. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Mr. Perry moved to suspend the rules, and take up, out of order, Senate Bill No. 317, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Read third time, and passed by the following vote:

AYES—MESSRS. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright—33.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

Resolved, That there be an evening session of the Senate this, Tuesday, evening, commencing at seven o'clock and thirty minutes, to consider the bills, in their order, upon the special file.

Adopted.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Mr. Filcher moved to suspend the rules, and take up, out of order, Senate Bill No. 22, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

Bill read second time, and amendments of committee, as follows, adopted:

Amend section three, line one, by inserting, in blank space on line one, the words "twenty-five."

Amend section five, line ten, by inserting, in blank space, the words "six" and "eighteen."

Amend section eight, line four, by inserting, after the word "at," the words, "rates, not exceeding."

Strike out the words, "by the inhabitants," on line five, section nine, and insert the words, "any such inhabitant."

Strike out all after the word "suit," in line seven, section nine.

In section ten, page five, lines eight and nine, strike out the words "and such inhabitants first making such demand and tender shall have a superior right to receive such supplies."

Amend section ten, line fourteen: strike out all after the word "costs."

Amend section eleven, line three, by striking out from the word "State" to the word "use," at the end of line five.

Mr. Filcher moved to amend section one, by inserting, after the word "for," in line two, the word "irrigation."

Adopted.

Also, amend section one, by striking out of line two, the words "to the inhabitants of this State."

Adopted.

Mr. Filcher moved to amend section four, by striking out, after the word "the," on line two, the words "water rights, franchises, and waterworks, including the."

Adopted.

Mr. Filcher moved to amend section five, by striking out, in line eleven, after the word "the," the words "water rights, franchises, and waterworks," and inserting in lieu thereof the words "canals, ditches, flumes, chutes, and all other property actually used and useful to the appropriation and furnishing of such water."

Adopted.

Mr. Filcher moved to amend section eleven, by inserting, after the word "way," on line seven, the following: "and any and all other property, right, or claim necessary to the complete use and enjoyment of such water."

Lost.

Mr. Kellogg moved to take up Assembly messages, and that the bills be placed upon the file in their order.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section

six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Also, Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

Also, Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Also, Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

FRANK D. RYAN, Chief Clerk.

Consideration of Senate Bill No. 22 resumed.

Mr. Cross moved to amend as follows: amend, by striking out section twelve, and inserting in lieu thereof:

SEC. 12. Nothing in this Act shall require any person to furnish to others any water which the appropriator applies to his own beneficial use.

Ayes and noes demanded by Senators Langford, Cox, and Cross.
Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Kellogg, Knight, Langford, Mahler, Parker, Taylor, Vrooman, and Wallis—17.

NOES—Messrs. Beauvais, Chandler, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, and Whitney—18.

Mr. Johnson of San Bernardino moved to amend, by striking out of section four, line two, the words "present cost and cash."

Adopted.

Mr. Johnson of San Bernardino moved to strike out section five.

Lost.

Mr. Johnson of San Bernardino moved to strike out, on line ten, section five, the words "present cost and cash."

Adopted.

Mr. Johnson of San Bernardino moved to amend section five, line ten, by striking out, on line ten, all after the word "be," and before the word "present," and inserting, "such rates as in their opinion are just."

Lost.

Upon the question, "Shall this bill be engrossed, and read a third time?"

The ayes and noes were demanded by Senators Kellogg, Baldwin, and Vrooman.

Roll called, and the bill ordered engrossed, and to a third reading, by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cross, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, and Whitney—25.

NOES—Messrs. Boone, Cox, Creighton, DeLong, Drum, Johnson of San Bernardino, Kelly, Kellogg, Knight, Taylor, Vrooman, Wallis, and Wright—13.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 72—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to public lands.

Also, Senate Bill No. 243—An Act to amend section two of an Act entitled "An Act to provide a system of irrigation and drainage and improve the navigation of the Sacramento and San Joaquin Rivers," approved March 29, 1878.

Also, Senate Bill No. 286—An Act to amend section three thousand five hundred and seventy-one of the Political Code of California, concerning public lands.

Also, Assembly Concurrent Resolution No. 9—Relative to the issue of patents to railroad corporations for lands applied for and claimed by such corporations.

Have had the same under consideration, and respectfully report the same back, without recommendation.

COX, Chairman.

Mr. McClure moved to suspend the rules, and take up, out of order, Senate Bill No. 174, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—36.

NOES—None.

Title read and approved.

Mr. Wallis moved to suspend the rules, and take up, out of order, Senate Bill No. 182, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time, and amendments of the committee, as follows, adopted:

Amend title, by striking out "and eleven."

Amend section eight, on line three, of printed bill, by striking out the words "and Sierra," and insert "and," between "Nevada and Placer."

On line four, same section, strike out "fourteen," and insert "seventeen" in lieu thereof.

Strike out section two.

Bill, as amended, ordered engrossed, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 323—have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

RECESS.

At five o'clock and forty-five minutes p. m., on motion of Mr. Knight, the Senate took a recess until seven o'clock and thirty minutes p. m.

REASSEMBLED.

At seven o'clock and thirty minutes p. m., the Senate reassembled. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, and Vrooman.

Quorum present.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Days: Senate Concurrent Resolution No. 24—Relative to the condition of certain portions of the people, and their settlement upon the public lands of the United States.

REPORT OF SENATE COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: The undersigned, your Committee on Conference, appointed to confer with a like committee from the Assembly, upon Assembly Bill No. 403—"An Act to establish a branch State Normal School"—submit the following report:

The joint committee have had one meeting; the session was short. Considerable conversation counseling conciliatory compromise concerning the subject was indulged in, but fortunately or unfortunately no member of the committee would consent to "fall down" or "go back" on the views heretofore held; hence honestly holding to such prior convictions, we found that it was useless to further diligently discuss or in any way agitate the question as to whether the Senate should recede from its amendment to the bill, which the committee consider proper, or whether the Assembly should complacently and considerably concur in said Senate amendments; hence, hesitatingly, we herewith report that said joint committee is unable to agree, and ask that the Senate committee be discharged forthwith, and that the Senate shall take such further action in the premises as it may deem most advisable under the circumstances.

C. F. FOSTER,
WM. B. PARKER,
W. W. KELLOGG,
Committee.

On motion of Mr. Foster, the report was adopted.
Mr. Cross moved to take up Assembly messages.
So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 307—"An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

FRANK D. RYAN, Chief Clerk.

To the file.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, received the following report, viz.:

MR. SPEAKER: Your Committee of Conference to consider Assembly Bill No. 403, respectfully report that they have met with the committee of the Senate, and find that we cannot agree,

and respectfully recommend the Assembly to appoint a Free Conference Committee to further consider the bill, and the Senate be requested to appoint a similar committee to confer with Assembly Committee.

JOHN YULE.
G. G. GOUCHER.
J. M. WARD.

And adopted the same.

F. D. RYAN, Chief Clerk.

Mr. Foster moved that a Free Conference Committee of three be appointed to meet a like committee from the Assembly, to further consider Assembly Bill No. 403.

So ordered.

Mr. Taylor moved that the usual number of copies of the report of the Committee on Conference be printed.

So ordered.

REPORT OF A STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom were referred Senate Bills Nos. 95 and 19—have examined the same, and find them correctly engrossed.

FILCHER, Chairman.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read third time.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.

So ordered.

LEAVE OF ABSENCE.

Leave of absence was granted for this evening to Senators Steele, Parker, and Creighton; also, one day's leave of absence was granted to Senator Spencer of Stanislaus.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright.

Mr. Kellogg moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Consideration of Senate Bill No. 79 resumed.

Roll called, and the bill passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, and Whitney—34.

NOES—None.

Title approved.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the Insane Asylums, in lieu of per diem and expenses.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 324—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Passed on file.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Mr. Spencer moved a call of the Senate.

Lost.

Upon the question, "Shall this bill be read a second time?"

The ayes and noes were demanded by Senators Wright, Lynch, and Taylor.

Roll called, and the bill ordered read a second time by the following vote:

AYES—Messrs. Beauvais, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Wallis, and Whitney—25.
 NOES—Messrs. Boone, Creighton, Filcher, Kellogg, Langford, Lynch, Taylor, and Wright—8.

Section one read second time.

Mr. Wright offered the following amendment: amend section one, in line two, by inserting, after the word "of," the words "idiotic and."

Adopted.

Sections two, three, four, and five read second time.

Mr. Johnson of San Bernardino offered the following amendment to section five: strike out of section five, line two, the word "twelve," and insert the word "nine."

Adopted.

Also, strike out the word "six," line ten, and insert the word "nine."

Adopted.

Hon. Clay W. Taylor in the chair.

Section six read second time.

Mr. Kellogg offered the following amendment to section six: amend section six, in line six, by adding, after the word "Home," the words "*provided*, that no investment of such proceeds shall be made in land or buildings without the recommendation and approval of the Resident Physician of the Napa Insane Asylum and the Medical Superintendent of the Stockton Insane Asylum."

Mr. Cross offered the following substitute for the amendment: amend section six, in line six, by adding, after the word "Home," the words "*provided*, that such institution shall not be located within ten miles of the City of Vallejo."

President Daggett in the chair.

Ayes and noes demanded on the adoption of the substitute, by Senators McClure, Spencer of Napa, and Reddy.

Roll called, and the substitute lost by the following vote:

AYES—Messrs. Baldwin, Boone, Creighton, Cross, Days, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Langford, Lynch, Mahler, Taylor, and Wright—14.

NOES—Messrs. Chandler, Cox, DeLong, Dougherty, Drum, Johnson of Sonoma, Kelly, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Wallis, and Whitney—17.

The question recurring on the amendment offered by Mr. Kellogg, the ayes and noes were demanded by Senators Baldwin, Langford, and Wright.

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Langford, Lynch, Taylor, Wallis, and Wright—16.

NOES—Messrs. Cox, DeLong, Dougherty, Drum, Johnson of Sonoma, Kelly, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, and Whitney—16.

Whereupon the President announced that the vote was a tie, and that he would exercise his constitutional right of casting the deciding vote, by ordering the Secretary to record his vote "aye."

So recorded, and the amendment adopted.

Section seven read second time.

Section eight read second time.

Mr. Wright offered the following amendment: amend section eight, on line one, by inserting after the word "all," the word "idiotic;" also, strike out, in line two, the words "excepting those incapable of improvement."

Adopted.

At ten o'clock and twenty-seven minutes P. M., Mr. Taylor moved to adjourn.

Lost.

Sections nine, ten, and eleven read second time.

Mr. Wright offered the following amendment: amend section eleven, in line one, by inserting, after the word "such," the word "care."

Adopted.

At ten o'clock and thirty-one minutes P. M., Mr. Taylor moved to adjourn.

Lost.

Section twelve read a second time.

Mr. Wright offered the following amendment: amend section twelve, in line twelve, by striking out the word "Vallejo," and inserting the words "the paper published in the county and nearest the place where the Home shall be located."

Mr. Lynch moved a call of the Senate.

Ayes and noes demanded by Senators Lynch, Drum, and Taylor.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Drum, Lynch, Taylor, and Wright—5.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Mahler, McClure, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Wallis, and Whitney—24.

At ten o'clock and thirty-six minutes P. M., Mr. Drum moved to adjourn.

Ayes and noes demanded by Senators Lynch, Taylor, and Drum.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Creighton, Drum, Johnson of San Bernardino, Lynch, Taylor, Wallis, and Wright—7.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Filcher, Johnson of Sonoma, Kelly, Langford, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, and Whitney—22.

The question recurring on the adoption of the amendment offered by Mr. Wright, to section twelve, the same was adopted.

Sections thirteen, fourteen, fifteen, and sixteen read second time.

Mr. Wright offered the following amendment to section sixteen: amend section sixteen, in line two, after the word "Superintendent," by striking out the word "and," and adding after the word "Trustees," on line three, the words "and State Board of Examiners."

Lost.

Mr. Whitney offered the following amendment to section sixteen: amend section sixteen, line one, by striking out the word "money," and the words "drawn from the State Treasury," and inserting in lieu thereof the word "bill" and the word "paid."

Adopted.

Sections seventeen, eighteen, nineteen, and twenty, read second time.

Mr. Lynch offered the following amendment to section twenty: amend section twenty, in line two, after the words "the sum of," by striking out the words "forty-five," and inserting the word "thirty."

Ayes and noes demanded on the adoption of the amendment, by Senators Lynch, Langford, and Taylor.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Filcher, Johnson of San Bernardino, Langford, Lynch, Mahler, Taylor, and Wright—8.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Johnson of Sonoma, Kelly, Kellogg, Lowe, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, and Whitney—23.

Second reading of bill completed.

Mr. Filcher offered the following amendment to section eighteen: amend section eighteen, by striking out, in lines two and three, all after the word "number," down to and including the word "annum."

Adopted.

On motion of Mr. Lynch, the title was amended as follows: amend the title, by inserting, after the word "of," on line one, the word "idiotic."

Upon the question, "Shall this bill be engrossed and read a third time?"

The ayes and noes were demanded by Senators Lynch, Langford, and Wright.

Roll called, and the bill ordered engrossed, and to a third reading, by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, and Whitney—25.

NOES—Messrs. Baldwin, Filcher, Langford, Lynch, Taylor, and Wright—6.

At ten o'clock and fifty-seven minutes P. M., Mr. Perry moved to take a recess for one hour.

Lost.

At ten o'clock and fifty-eight minutes P. M., Mr. Cross moved to adjourn.

Lost.

Mr. Kellogg moved a call of the Senate.

Ayes and noes demanded by Senators Lynch, Taylor, and Kellogg.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Johnson of San Bernardino, Lynch, Perry, Taylor, and Wright—5.
NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Filcher, Kelly, Kellogg, Langford, Lowe, Mahler, McClure, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Vrooman, Wallis, and Whitney—25.

ADJOURNMENT.

At eleven o'clock P. M., on motion of Mr. Cox, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
 Wednesday, March 4, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Harlbert, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Perry, further reading of the Journal was dispensed with, and the Journal approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS—MAJORITY.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: The majority of your committee have had under investigation the alleged contest of the right of Senator Palmieri to a seat in the Senate, and they now beg leave to report that, after full consideration, they are of the opinion that no proceedings have been instituted which are sufficient to give this body jurisdiction to hear and determine the facts set forth in the petition of the contestant. The right of a member of this body, or of any person declared to be elected to a seat in this body, to an orderly trial, according to the law of the land, ought not to be disputed or doubted; and we know of no right of the commonwealth which is so sacred as to justify a deliberate disregard of the private rights of a citizen.

It has been said that either branch of the Legislature, in the determination of the election and qualification of its own members, is omnipotent; but, while this is true in a modified sense, it is not true that in the exercise of this power either of those bodies would be justified in disregarding the rules prescribed by the supreme legislative authority of the State, unless those rules were in conflict with some provision of the Constitution. In our examination of the subject we have found no provision of the Constitution which prohibits the Legislature from providing by law for the manner in which the Senate or Assembly may proceed in the trial of such a question. A refusal on the part of either of those bodies to obey the regulations made by the Legislature for the exercise of the power would be a defiant violation of rules prescribed by the law-making power, and would therefore be unjustifiable.

Sections two hundred and seventy-three to two hundred and eighty-three, inclusive, of the Political Code, prescribe how such a contest shall be instituted and conducted. It shall be instituted within twenty days after the certificate of election is issued, by filing with the Clerk of the Superior Court of the county a statement of the grounds of the contest, verified by the oath of the contestant. (Political Code, Section 274.)

Commission shall thereupon be issued, directed to Justices of the Peace of the county, to take testimony concerning the alleged contest. (Political Code, Section 275.)

After the depositions are taken, it is the duty of the Clerk to seal up the depositions, with

other papers, and forward them to the Secretary of State, whose duty it is to deliver the same, unopened, to the presiding officer of the House in which the contest is to be tried, on or before, the second day of the session of the Legislature next after taking such depositions. (Political Code, Section 281.) Upon such proceedings the contest is to be tried and determined.

The provisions of the Code making the foregoing regulations are not in conflict with any principle or provision of the Constitution; they operate simply as a regulation of the manner in which the jurisdiction prescribed by the Constitution may be exercised. While this body has the power to render any decision which it may desire, that power exists only because there is no appeal from its decision. Any tribunal of final jurisdiction, whose decisions are not subject to review, may disregard the law and the Constitution, but it has no right to do so; and we are of the opinion that a branch of the Legislature, of all others, ought to be the last to refuse to obey the provisions of a valid statute, in the passage of which it has taken a prominent part.

The rule is, that where a statute of a State provides the mode in which an election may be contested, that mode must be followed. In such cases the remedy provided by the statute is exclusive. (*State vs. Stewart*, 26 Ohio, p. 216; *Dickey vs. Reed*, 78 Ill., p. 261.)

In this case the remedy prescribed by law has not been pursued, the time within which that remedy might have been invoked has expired, and the right of action in our judgment has lapsed.

DAVID MCCLURE.
F. C. DRUM.
M. J. WRIGHT.
HENRY VROOMAN.

MINORITY REPORT.

MR. PRESIDENT: The undersigned, the minority of your Committee on Elections, to whom was referred the papers in the matter of the contested election case of Emil A. Gaussail versus Egisto Palmieri, respectfully report: Several meetings of the committee have been called, but at no meeting since the first has a quorum been present, except at the final meeting, held this day. Your committee further report:

First—That, in our opinion, the matter of the contest was properly before the Senate and the committee.

Second—No person appeared before the committee at any time on behalf of the contestant, although notices of the meetings have been served on parties interested.

Third—That the affidavit and certificate, under seal, attached to the papers presented to the committee, was evidence sufficient for the committee to act upon, and was conclusive, unless other evidence of a positive contradictory nature was submitted on the part of relator.

Fourth—That said minority believe, from such evidence, that at the time of Senator Palmieri's election he was not eligible to the office to which he was elected.

Respectfully submitted.

W. W. KELLOGG.
E. F. DRUM.
DENNIS SPENCER.

Mr. Kellogg moved that the report be printed in the Journal, and that it be made the special order for Saturday next, at twelve o'clock M.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That the Secretary and the assistants be and they are hereby ordered to compile a history of Senate Bills, and Concurrent and Joint Resolutions, of the twenty-sixth session of the Legislature; and further,

Resolved, That two copies of such history be mailed to each Senator and Assemblyman; also,

Resolved, That the Controller draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars, payable out of the Contingent Fund of the Senate, such sum to include payment for such compilation and mailing.

Adopted.

By Mr. Kellogg:

Resolved, 1. That the sum of one hundred and fifty dollars be and the same is hereby appropriated out of the Contingent Fund of the Senate, the same being the expenses incurred by E. Palmieri in the contested election case of Gaussail vs. Palmieri. 2. That the Controller of State be and he is hereby authorized to draw his warrant in favor of said E. Palmieri for said sum of one hundred and fifty dollars, and the Treasurer is hereby instructed to pay the same.

Adopted.

By Mr. Cox: Concurrent Resolution No. 27:

Resolved by the Senate, the Assembly concurring. That we gratefully appreciate the services of our Representatives in Congress for their successful efforts to obtain a suitable appropriation for the construction of a public building in the Capital City of the State.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 124—Entitled "An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of the Law, San Francisco."

And the same has this day been placed in the hands of the Governor for his approval.

COX, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code, relating to the approval or cancellation of applications for State lands—have had the same under consideration, and respectfully report the same back, without recommendation.

COX, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 182 and Assembly Bill No. 37—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

Report of Committee on Public Buildings presented, and, on motion of Mr. Baldwin, the usual number of copies were ordered printed.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was re-referred Senate Joint Resolution No. 3—Relative to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the State of all sums by them expended in defense of the United States—have had the same under consideration, and now report the same back, amended as follows, with the recommendation that it do pass: Strike out the word "Joint" in the title, and insert therein the word "Concurrent," so as to read, "Senate Concurrent Resolution," etc.

Also, Senate Joint Resolution No. 4—Relative to requesting our Senators and Representatives in Congress to give their support to certain measures now pending in Congress, or such as may hereafter be presented thereto, designed to effect the proper adjustment of the accounts of the different States, Territories, and the District of Columbia, with the United States, arising out of the proceedings under the Direct Tax Law of August 5, 1861—and have had the same under consideration, and do now report the same back, amended as follows, and recommend its passage as amended: Strike out the word "Joint" in the title, and insert therein the word "Concurrent," so as to read "Senate Concurrent Resolution," etc.

Also, Assembly Concurrent Resolution No. 17—Relative to opposition to the Mexican treaty—and have had the same under consideration, and do now report the same back, without recommendation.

BALDWIN, Chairman.

On motion of Mr. Baldwin, Resolutions Nos. 3 and 4 were adopted.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 304—Entitled "An Act to amend sections two thousand five hundred and twenty-one and two thousand five hundred and fifty-two of the Political Code, and to add a new section, to be known as section two thousand five hundred and fifty-six, to the same Code,

the said amended sections prescribing the term of office of Wharfingers and Collectors, and fixing the salaries of Collectors, and the said new section prescribing the mode of collecting wharfage on merchandise, and abolishing wharfage on merchandise loaded on vessels or cars to be transported out of the City and County of San Francisco"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Senate Bill No. 29—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners."

Also, Senate Bill No. 132—Entitled "An Act to amend sections two thousand five hundred and twenty-one, two thousand five hundred and twenty-two, two thousand five hundred and twenty-eight, two thousand five hundred and thirty, two thousand five hundred and thirty-five, two thousand five hundred and thirty-six, and two thousand five hundred and fifty-two, and to repeal section two thousand five hundred and thirty-three of, and to add two new sections, to be known as sections two thousand five hundred and fifty-four and two thousand five hundred and fifty-five, to the Political Code; the said sections, as amended, and the said new sections defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary, and other officers, fixing the salary and amount of the bond of the Secretary, and prescribing the modes of collecting wharfage.

Have had the same under consideration, and respectfully report the same back, without recommendation.

KELLY, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March —, 1885.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 484—Respectfully beg leave to report the same back, with the recommendation that it do not pass.

Assembly Bill No. 195—Also referred to your committee—is respectfully reported back, without recommendation.

LANGFORD, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred the following resolution:

WHEREAS, Charges having been made that certain officials and contractors employed by the State Board of Harbor Commissioners and engaged in the construction of the seawall at San Francisco, are violating the eight-hour law of the State, intimidating their employes, and compelling them to patronize boarding houses in which said contractors are interested, and otherwise setting the laws of the State at defiance; also, that said contractors are not executing their contracts as required by their specifications; therefore,

Resolved, That the Committee on Capital and Labor be and they are hereby instructed to investigate these charges, and such others as may be preferred by the workmen and property owners against the said seawall contractors, and report to this Senate; and for this purpose said committee is empowered to send for persons and papers.

Beg leave to report that they have heard the testimony of the contractor for constructing section four of the seawall at San Francisco, in relation to the matters therein contained. He states that the workmen in his employ are required to render ten hours' service each day; but as the work is being done under contract, and not directly for the State, he claims that the eight-hour law does not apply; that he has not, nor has any one in his employ, intimidated workmen into patronizing any boarding house in which he is interested, and that, in fact, he is not interested in any boarding house where workmen reside.

Your committee is of the opinion that an inquiry should be made into the reason why contracts are let by the Board of State Harbor Commissioners to build the seawall by the weight of rock dumped into excavations, instead of by measurement; also, why the work is not performed directly by the State and the laborers employed by the State Board of Harbor Commissioners; why, if it is necessary to let the work out by contract, the constitutional provisions of the eight-hour law are not made a part of the contract; why employment is not given to citizens in preference to aliens, and why the lowest prices paid anywhere to labor are paid to the laborers engaged on State work.

Your committee, however, is further of the opinion that any investigation herein must take place in San Francisco, and, owing to the shortness of a legislative session, it would consume too much of our time from other legislative duties to properly attend thereto. We therefore recommend the adoption of the following resolution:

Resolved, That the Commissioner of the Bureau of Labor Statistics be and he is hereby requested to inquire into the condition of the laborers employed by the contractors on the seawall at San Francisco, with reference to whether what is known as the "truck" system is in vogue there; whether or not the eight-hour law (article twenty, section seventeen, State Constitution) applies to contracts let by the State, and whether or not such laborers are interfered with in the exercise of the elective franchise, and with reference to such other matters as may affect them and other laborers employed by the State Board of Harbor Commissioners, and all the sug-

gestions set out in this report—and report the same to the Governor at as early a date as is consistent with a thorough investigation thereof.

DOUGHERTY, Chairman.

On motion of Days, the resolution was adopted.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 93—An Act to provide for the appointment of appointive officers, members of Boards or Commissions of any county, city, city and county, township, or municipality, and to provide for the appointment of appointive officers to succeed officers, members of Boards, or Commissioners, heretofore appointed, whose constitutional or legislative terms of office have already expired—have had the same under consideration, and respectfully report the same back, without recommendation.

G. A. JOHNSON, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Education have had under consideration Senate Bill No. 315—Entitled "An Act to secure to the State of California the benefits of experience among teachers in the public schools"—and report the same back, with recommendation that it do pass.

Also, Senate Bill No. 170—Entitled "An Act to establish a branch Normal School"—report the same back to the Senate, without recommendation.

Also, Assembly Bill No. 303—Entitled "An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination by City Boards of Education"—report the same back, and recommend that it do pass, as amended.

G. A. JOHNSON, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Assembly Bill No. 502—An Act to promote drainage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass: and that the same be substituted for Senate Bill No. 284.

Also, Senate Bill No. 105—An Act entitled "An Act to add to part two, division second, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws"—have had the same under consideration, and the author, having asked leave to withdraw said bill—we report the same back to the Senate, and recommend that the author be allowed to withdraw the same.

Also, Senate Bill No. 180—An Act entitled "An Act to authorize the removal of the ores, rocks, fossils, and minerals, which are the products of California, now deposited in the State Mining Bureau at No. 212 Sutter Street, San Francisco, to the New Orleans Exposition"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MAHLER, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: In accordance with the resolution of the Senate of March 3, 1885, your committee do now report the following Concurrent Resolution and Bills back to the Senate, without recommendation, viz:

Senate Concurrent Resolution No. 4—Relative to bonds of the Attorney-General, and several county and city and county officials, having in their possession moneys belonging to the State.

Senate Bill No. 314—Entitled "An Act to prevent unjust delays and expenses in cases of unlawful detainer of real property."

Senate Bill No. 318—Entitled "An Act to amend section fifteen, of article twenty, of the Constitution of the State of California."

Assembly Bill No. 275—Entitled "An Act to amend section nine hundred and twenty-eight of an Act entitled 'An Act to establish a Penal Code,' approved April 16, 1880, relative to Grand Juries."

Assembly Bill No. 503—Entitled "An Act to amend section two thousand seven hundred and thirty of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872."

Assembly Bill No. 523—Entitled "An Act to authorize the commitment of persons to Houses of Correction."

CROSS, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Also, Assembly Bill No. 245—An Act to amend section two of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district.

Also, Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Also, Senate Bill No. 18—An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture.

Have had the same under consideration, and respectfully report the same back, without recommendation.

FOSTER, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: In pursuance of the resolution of the Senate of date March 3, 1885, your Committee on Claims beg leave to report the following bills, without recommendation: Senate Bills Nos. 36, 199, 221, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 275, 287, and 295.

DOUGHERTY, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, submit the annexed statement of sundry witnesses engaged by Senate Committee on State Prisons, and in accordance therewith, recommend the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of Senator P. Reddy, Chairman of the Senate Committee on State Prisons, for the sum of one hundred and fifty-nine dollars and thirty cents.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYNCH, Chairman.

Adopted.

The State of California to sundry witnesses subpoenaed by Senate Committee on State Prisons and Prison Buildings, Dr.

| Date. | NAME. | Amount. |
|------------|--|---------|
| 1885. | | |
| Feb. 19--- | To George Griffith, one day ----- | \$2 00 |
| | To mileage from Penryn to Sacramento and return, 56 miles---- | 5 60 |
| | | \$7 60 |
| Feb. 19--- | To J. N. Taylor, one day ----- | \$2 00 |
| | To mileage from Rocklin to Sacramento and return, 44 miles --- | 4 40 |
| Feb. 24--- | To mileage from Rocklin to Sacramento and return, 44 miles --- | 4 40 |
| | To one day ----- | 2 00 |
| | | 12 80 |
| Feb. 19--- | To A. D. Hathaway, one day ----- | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 168 miles. 16 80 | |
| Feb. 24--- | To mileage from Rocklin to Sacramento and return, 44 miles --- | 4 40 |
| | To one day ----- | 2 00 |
| | | 25 20 |
| Feb. 19--- | To M. P. Sessions, one day ----- | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 168 miles. 16 80 | |
| Feb. 24--- | To mileage from San Francisco to Sacramento and return, 168 miles. 16 80 | |
| | To one day ----- | 2 00 |
| | | 37 60 |

| Date. | NAME. | Amount. |
|------------|---|----------|
| Feb. 19... | To John Carlow, Sacramento, one day's attendance..... | \$2 00 |
| Feb. 24... | To John Carlow, Sacramento, one day's attendance..... | 2 00 |
| | | \$4 00 |
| Feb. 24... | To M. J. Kelly, one day | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 168 miles.. | 16 80 |
| | | 18 80 |
| Feb. 24... | To John McDonald, one day | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 168 miles.. | 16 80 |
| | | 18 80 |
| Feb. 24... | To Abner Doble, one day | \$2 00 |
| | To mileage from San Francisco to Sacramento and return, 168 miles.. | 16 80 |
| | | 18 80 |
| Feb. 24... | To C. A. Tuttle, one day | \$2 00 |
| | To mileage from Auburn to Sacramento and return, 72 miles..... | 7 20 |
| | | 9 20 |
| Feb. 24... | To David Blower, one day | \$2 00 |
| | To mileage from Folsom to Sacramento and return, 45 miles | 4 50 |
| | | 6 50 |
| | Total | \$159 30 |

I believe the above to be correct.

PATRICK REDDY, Chairman.

Mr. Knight moved that the special order, the consideration of the Appropriation Bill, be postponed until the printed bill arrives from the printer.

So ordered.

RESOLUTION—(OUT OF ORDER).

Mr. Saxe offered the following resolution :

Resolved, That the Controller of State be and he is hereby directed to draw his warrant upon the Contingent Fund of the Senate for fifty dollars each in favor of the Minute Clerk and his assistant, in payment of the services required to be performed by them after the close of the session.

On motion of Mr. Saxe, the resolution was adopted.

Mr. Kellogg moved that the Governor's message be made the special order for to-morrow, at two o'clock P. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNIGHT, Chairman.

ON VINICULTURE AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Viniculture and Viticulture, to whom was referred Senate Bill No. 319—An Act regulating the labeling of vessels containing fermented liquors—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MAHLER, Chairman.

ON CHINESE AND CHINESE IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Chinese and Chinese Immigration, to whom was referred Senate Bill No. 2—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLY, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Also, Assembly Bill No. 486—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

Also, Assembly Bill No. 487—An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Also, Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Also, Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

Also, Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress, entitled an Act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, approved March 13, 1868.

Also, Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Also, Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure of the State of California.

Also, Assembly Bill No. 363—An Act to amend section one thousand one hundred and eighty-one of the Civil Code, relative to Court Commissioners.

Also, Substitute for Assembly Bill No. 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game.

Also, Senate Bill No. 326—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and State Senators for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof, at its twenty-sixth session.

FRANK D. RYAN, Chief Clerk.

Assembly Bills Nos. 442, 486, 487, 404, 405, 315, 454, 419, 157, 363, Substitute for 179, and 573, ordered placed on file.

Senate Bill No. 326 referred to Committee on Enrollment.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. McClure moved to suspend the rules, and take up, out of order, Assembly Bill No. 573, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof, at its twenty-sixth session.

Read first time, and, on motion of Mr. McClure, made the special order for to-morrow, immediately after reading the Journal.

The President announced the appointment of the Committee on

Free Conference, as follows: Senators Del Valle, Filcher, and Chandler, to meet a like committee from the Assembly, to further consider Assembly Bill No. 403.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

On motion of Mr. McClure, this bill was passed on file.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the insane asylums, in lieu of per diem and expenses.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Vrooman, and Wright—23.

NOES—Messrs. Baldwin, Boone, Days, Del Valle, Johnson of San Bernardino, Kellogg, Knight, Langford, Parkinson, and Whitney—10.

Title read and approved.

Senate Bill No. 182 (by request)—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

Mr. Cross moved to recommit this bill to Mr. Filcher, a committee of one, with special instructions to amend as follows: add to section eight:

And the sum of three thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the aid of District Agricultural Society No. 17, to be audited and paid the same as appropriations for other district agricultural societies.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read second time, and the amendment of the committee, as follows, adopted:

Amend section one, line one, by striking out the word "three" and inserting in lieu thereof the word "twelve."

Bill, as amended, ordered engrossed, and to a third reading.

Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read second time, and placed on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That the Senate take up Assembly Bills alone in the order in which they appear upon the file, for this day and evening, until all Assembly Bills upon the special and general files shall be disposed of.

Adopted.

Mr. Perry moved to reconsider the vote whereby the title to Assembly Bill No. 323 was approved.

So ordered.

Mr. Perry moved to amend the title, to read as follows:

An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums.

Adopted.

Title read and approved.

Hon. R. F. Del Valle in the chair.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your select committee of one, to whom was referred Senate Bill No. 182, with special instructions to amend, would respectfully report that the instructions of the Senate have been carried out as follows: add to section eight "and the sum of three thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the aid of District Agricultural Society No. 17, to be audited and paid the same as appropriated for other district agricultural societies."

J. A. FILCHER.

SPECIAL ORDER.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Third reading of bill commenced.

Mr. Perry moved that the hour of recess be extended until the bill under consideration is completed.

So ordered.

Third reading of bill completed.

Mr. Perry moved to recommit this bill to Mr. Knight, a committee of one, with special instructions to amend, as follows:

Amend, on page eight, line two hundred and twenty-four, by striking out the words "twenty-five," and inserting in lieu thereof the words "fifty-nine."

Ayes and noes demanded by Senators Knight, Wright, and Perry.
Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Creighton, Cross, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, and Wallis—23.

NOES—Messrs. Boone, Chandler, Cox, Days, Johnson of San Bernardino, Knight, Lowe, Parkinson, Saxe, Vrooman, Whitney, and Wright—12.

Mr. Cross moved to recommit the bill to same committee, with instructions to amend as follows:

Insert, on page ten, between lines two hundred and ninety-two and two hundred and ninety-three, the following words: "For aid of District Agricultural Society Number 17, three thousand dollars."

So ordered.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Roulter, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That when this Senate adjourns for the day it do so in appreciation of and in honor of the inauguration of Hon. Grover Cleveland, as President of the United States.

Adopted.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 37—with special instructions—have had the same under consideration, and respectfully report that it has been amended according to instructions.

KNIGHT, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 24—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Also, Senate Bill No. 35—An Act to provide for the division of existing counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for its support by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county.

Also, Senate Bill No. 100—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Senate Bill No. 217—Authorizing the Boards of Supervisors of their respective counties to prevent or limit the trespass of animals, and to provide a penalty therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk.

Also, Assembly Bill No. 329—An Act in relation to lawful fences.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of the boundary, and whatever is necessary thereto.

Also, Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Also, Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Also, Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Have had the same under consideration, and respectfully report the same back without recommendation.

D. SPENCER, Chairman.

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, to whom was referred Assembly Concurrent Resolution No. 15—Relative to the preservation of the Lake Bigler forests on the California shore thereof, and also Lake Bigler—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CREIGHTON, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bills Nos. 22 and 112—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON APPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Apportionment, to whom was referred Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and provide for the election of Senators therein"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DEL VALLE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Wallis:

Resolved, That the sum of thirty-seven dollars be and the same is hereby appropriated out of the Contingent Fund of the Senate to pay witness fees, and the cost of subpoenaing the same, who appeared and testified before the committee appointed by the Senate to investigate into the defalcations in the office of the late State Treasurer, W. A. January, and the Controller of State is ordered to draw his warrant in favor of I. G. Messec, Sergeant-at-Arms, who is hereby authorized to disburse the same.

The following is the bill of costs for fees of witnesses, and for subpoenaing the same, who appeared before the committee appointed by the Senate to investigate the embezzlements in the office of the late State Treasurer, W. A. January:

| | |
|---|---------|
| Felix Tracy, one day | \$2 00 |
| Frank Miller, one day | 2 00 |
| William M. Petrie, one day | 2 00 |
| Edward Lyon, one day | 2 00 |
| Mat. Karcher, one day | 2 00 |
| Thomas Bragg, one day | 2 00 |
| Charles Brown, one day | 2 00 |
| John Weil, one day | 2 00 |
| Frank Chapman, one day | 2 00 |
| Mr. Rankine, two days | 4 00 |
| | <hr/> |
| | \$22 00 |
| O. C. Jackson, service of four subpoenas and mileage | 5 00 |
| Served by order of committee, under authority of Sergeant-at-Arms, subpoenas on Tracy, Miller, Petrie, Lyon, Gorman, Weil, Chapman, Rankine, O'Reilly, Dunn, Shattuck, Hartley, Oullahan, and W. A. January—14, and mileage | 10 00 |
| | <hr/> |
| | \$37 00 |

Referred to Committee on Contingent Expenses and Mileage.

Mr. Lynch moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Ordered placed on file.

Also:

Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers.

Ordered placed on file.

Also:

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Ordered placed on file.

Also:

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.

Ordered placed on file.

Also:

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects, in criminal proceedings in said cities, and cities and counties.

FRANK D. RYAN, Chief Clerk.

Ordered placed on file.

Mr. Lynch moved to suspend the rules, and take up, out of order, Assembly Bill No. 311, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects, in criminal proceedings in said cities, and cities and counties.

Read first time, and placed on file for second reading.

Mr. Lynch moved to substitute Assembly Bill No. 311 for Senate Bill No. 94.

So ordered.

SPECIAL ORDER.

Senate Bill No. 249—An Act to provide for the impounding of mining debris.

Read third time.

Mr. Chandler moved that the special order set for two o'clock and thirty minutes P. M., be postponed until after the consideration of the above bill.

So ordered.

Hon. R. F. Del Valle in the chair.

The question being on the passage of Senate Bill No. 249.

CALL OF THE SENATE.

Mr. Cross moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly,

Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Taylor, Parker, and Knight.

On motion of Mr. Kellogg, further proceedings under the call of the Senate were dispensed with.

The roll was called on the passage of Senate Bill No. 249, and the bill refused passage by the following vote:

AYES—Messrs. Beauvais, Boone, Cross, Dougherty, Filcher, Kellogg, Lowe, Lynch, Mahler, Palmieri, Perry, and Wallis—12.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, McClure, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright—25.

SPECIAL ORDER.

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read third time.

President Daggett in the chair.

Pending discussion on Assembly Bill No. 221, the President decided that Assembly Bill No. 37 was now in order.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—36.

NOES—None.

Title read and approved.

Consideration of Assembly Bill No. 221 resumed.

After debate, the roll was called, on the passage of Assembly Bill No. 221, and the bill passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Johnson of San Bernardino, Kelly, Kellogg, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney and Wright—28.

NOES—Messrs. Baldwin, Del Valle, Filcher, Hurlburt, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus—11.

Title read and approved.

CONSIDERATION OF BILL—(OUT OF ORDER).

Mr. Days moved to suspend the rules, and take up, out of order, Senate Bill No. 112, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand and two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—33.

NOES—Mr. Cross—1.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Pursuant to resolution adopted March 3, 1885, your Committee on Irrigation and Water Rights, to whom was referred Senate Bills Nos. 300 and 322, and two petitions and a remonstrance of the citizens of Kern County, and also a statement of the Auditor of said county—have had the same under consideration, and respectfully report the same back, without recommendation.

TAYLOR, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Bills Nos. 89 and 93—have carefully examined the same, and find them correctly engrossed.

FILCHER, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Baldwin:

Resolved, That D. B. Woolf, clerk of the special committee appointed to investigate the books, papers, etc., in the office of the Secretary of State, as per resolutions adopted February 11 and 13, 1885, be allowed the sum of two hundred and forty-seven dollars and twenty cents, for expenses incurred by said committee in conducting said investigation, as follows:

| | |
|---|---------|
| Experting the books and papers in the offices of the Secretary of State and State Board of Examiners..... | \$50 00 |
| Mileage to San Francisco and return, serving subpoenas on witnesses..... | 16 80 |
| Serving subpoenas on twenty-six witnesses, as follows: H. P. Bancroft, F. A. Colley, S. B. Welch, Jacob Apple, Josiah J. Le Count, James Moffitt, James Taylor, Harry R. Williar, W. H. Cone, Howard Russell Johnson, James O'Meara, V. A. McLatchey, Harry W. Rivett, H. A. Weaver, G. M. Mott, A. J. Johnston, Fred. W. Day, A. E. Shattuck, C. Lee Brown, William Tormey, Charles Sellinger, M. Hanrahan, John Q. Brown, A. A. Redington, T. H. Wallis, and M. R. Beard..... | 26 00 |
| Postage, telegraphing, etc..... | 1 00 |
| Carriage hire for J. P. Dunn, witness..... | 1 50 |
| Fees of Sheriff of San Francisco in serving subpoena on witness Johnson..... | 1 50 |
| Mileage and per diem for the following witnesses from San Francisco: | |
| J. P. Le Count—mileage, \$16 80; per diem, \$2..... | 18 80 |

| | |
|--|----------|
| F. A. Colley—mileage, \$16 80; per diem, \$2..... | \$18 80 |
| S. B. Welch—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Jacob Apple—mileage, \$16 80; per diem, \$2..... | 18 80 |
| James Moffitt—mileage, \$16 80; per diem, \$2..... | 18 80 |
| James Taylor—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Harry R. Williar—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Howard R. Johnson—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Total..... | \$247 20 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That K. R. Wilson, stenographer of the special committee appointed to investigate the books and papers in the office of the Secretary of State, as per resolution adopted February 11 and 13, 1885, be allowed the sum of two hundred and forty-seven dollars, for services as stenographer and transcription of testimony.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

At five o'clock and forty-six minutes P. M., Mr. Cox moved to take a recess until seven o'clock and thirty minutes P. M.

Mr. Cross moved to amend, that we do now adjourn.

Lost.

The question recurring on the motion of Mr. Cox to take a recess, the same was carried.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate reassembled. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 326—Entitled "An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the twenty-sixth session of the Legislature."

And the same has this day been placed in the hands of the Governor for his approval.

COX, Chairman.

SPECIAL FILE.

Senate Bill No. 182 (by request)—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cross, Days, De Long, Del Valle, Dougherty, Drum, Fileher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parker, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wright—28.

NOES—None.

Title read and approved.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Passed on file.

Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising and subdividing into new sections section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Read second time, and committee amendments, as follows, adopted:

Amend section one hundred and seventy-seven, page twelve, line eight, subdivision five, by striking out "twelve," and inserting "fifteen," so it shall read, "Treasurer, fifteen hundred dollars per annum."

Amend, line ten, subdivision seven, of same section, by striking out the word "two," between the words "thousand" and "hundred," and insert "five," so it shall read "Assessor, two thousand five hundred dollars per annum."

Amend, line eighteen, subdivision fifteen, by striking out the word, "four," and inserting "five," so it shall read, "Supervisor, five hundred dollars per annum."

Amend section one hundred and eighty-three, so as to read, "183;" also, on line one, strike out the word "first," and insert, in lieu thereof, the word "second."

Amend section one hundred and eighty-four, so as to read, "183;" also, on line one, strike out the word "second," and insert in lieu thereof the word "first."

Amend section one hundred and eighty-five, page seventeen, subdivision seven, by striking out all after the word "annum," on line ten of said subdivision.

Amend section one hundred and ninety, page twenty, on line twenty-one, subdivision fifteen, by striking out the word "five," and inserting "seven;" also, strike out the word "ten," in same subdivision, and in same line, and insert "twenty."

Amend, line twenty-three, of same subdivision, by striking out the word "for," and inserting the word "four."

Amend section one hundred and ninety-four, page twenty-one, line five, subdivision ten, by striking out "four," and inserting "five," so it shall read, "Sheriff, five thousand dollars per annum."

Amend, line eight, subdivision five, by striking out "eight," and inserting "twelve," so it shall read, "Treasurer, twelve hundred dollars per annum."

Amend section one hundred and ninety-five, page twenty-two, line nineteen, subdivision fifteen, by striking out the word "five," and inserting "seven;" also, strike out the word "ten," in same line and subdivision, and insert "twenty."

Amend section two hundred and three, page twenty-seven, line four, subdivision one, by striking out the words "two thousand," and inserting "fifteen hundred," so it shall read, "County Clerk, fifteen hundred dollars per annum."

Amend, line five, subdivision two, by striking out "four," and inserting "three," so it shall read, "Sheriff, three thousand five hundred dollars per annum."

Amend, line six, subdivision three, by striking out "two," and inserting "one," so it shall read, "Recorder, one thousand dollars per annum."

Amend, line seven, subdivision four, by striking out the words "one thousand," and inserting "five hundred," so it shall read, "Auditor, five hundred dollars per annum."

Strike out all beginning with the word "for," on line one, of section three, down to and including the word "classes," on line two, of same section.

Amend section three, by adding, after the word "officers," on line three, of said section, the words "except as hereinafter provided."

Section four, insert the word "tenth" after the word "the," line one.

Mr. Filcher moved to strike out, on page ten, line twenty-four, the following: "15. Supervisors, each the sum of six hundred dollars per annum, and twenty cents per mile from their respective homes to the county seat as often as said Supervisors shall meet."

Lost on a division of the Senate—ayes, 8; noes, 19.

Mr. Baldwin moved to amend section one hundred and sixty-nine, by inserting, after the word "deputy," in line twenty-seven, the following: "with the consent of the Board of Supervisors."

Lost on a division of the Senate—ayes, 8; noes, 13.

Mr. Cross moved to amend as follows: strike out of line five, page seven, the words "and mileage in all civil cases."

Adopted.

Mr. Filcher moved to reconsider the vote whereby the amendment offered by him, to strike out all after the word "annum," was lost.

Carried.

Mr. Filcher moved to strike out, on page ten, line twenty-four, all after the word "annum," in lines twenty-four, twenty-five, and twenty-six.

Adopted.

Mr. Langford moved to reconsider the vote whereby the amendment offered by Mr. Baldwin to amend section one hundred and sixty-nine, by inserting, after the word "deputy," in line twenty-seven, the following: "with the consent of the Board of Supervisors," was lost.

Carried.

Mr. Langford moved to amend section one hundred and sixty-nine, by inserting after the word "deputy," in line twenty-seven, the following: "with the consent of the Board of Supervisors."

Adopted.

Mr. Whitney moved to amend, on page two, line fifteen, by striking out "twenty-four hundred," and inserting in lieu thereof the words "three thousand."

Adopted.

Mr. DeLong moved to amend, page fifteen, class number twenty, line fifteen, after the words "one thousand," insert "six hundred and fifty."

Adopted.

Bill, as amended, ordered engrossed, and to a third reading.

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Assembly Bill No. 489, and read same first time.

So ordered.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Mr. Spencer of Napa moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Assembly Bill No. 489 be considered read the first time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wright—31.

NOES—None.

Mr. Spencer of Napa moved that the rules be suspended, and this bill be read second time.

So ordered.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Read second time, and committee amendments, as follows, adopted:

Counties having a population of eleven thousand two hundred and eighty-five and under eleven thousand three hundred, shall belong to and be known as counties of the twenty-first class; also, counties having a population of eleven thousand and under eleven thousand two hundred and eighty-five, shall belong to and be known as counties of the twenty-second class.

Bill, as amended, ordered engrossed and to a third reading.

Mr. Spencer of Napa moved to suspend the rules, and take up, out of order, Assembly Bill No. 216, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Boards of Supervisors to allow certain deputies.

Read first time.

Mr. Spencer of Napa moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Assembly Bill No. 216 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wright—30.

NOES—None.

Mr. Spencer of Napa moved that the rules be suspended, and this bill be read second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Boards of Supervisors to allow certain deputies.

Read second time, and the amendments of the committee, as follows, adopted:

Insert, after the word "in," line twenty-four, the word "fifteen;" also, insert, after the word "thirteenth," on line twenty-four, the word "twenty-second."

Bill as amended, ordered engrossed, and to a third reading.

Mr. Spencer moved that Assembly Bills Nos. 489 and 216 be placed on special file.

So ordered.

Mr. Knight stated that he was not present during the day when the vote was taken on Senate Bill No. 249 and Assembly Bill No. 221. He wanted his vote recorded "aye," on Senate Bill No. 249, and "no," on Assembly Bill No. 221.

So ordered.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Assembly Bills Nos. 3, 4, 76, 97, 98, 99, 100, 101, 102, 103, 124, 125, 161, 167, 168, 77, 346, 90, 91, 92, 95, 96, 123, 199, 202, 205, 206, 207, 227, 229, 230, 231, 232, 233, 234, 235, 291, 292, 201, 213, 131, 138, 129, 133, 132, 236, 455, and 575, be declared cases of urgency, and considered read first and second times, and placed upon their passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wright—30.

NOES—Messrs. Cross and Filcher—2.

THIRD READING OF BILLS.

Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—33.

NOES—None.

Title read and approved.

Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin, for the thirty-fifth and thirty-sixth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—31.

NOES—None.

Title read and approved.

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Huriburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Parkinson, Perry, Reilly, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Filcher, Foster, Huriburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—33.

NOES—None.

Title read and approved.

Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Days, DeLong, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmeri, Parkinson, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—28.

NOES—None.

Title read and approved.

Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmeri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, and Whitney—27.

NOES—None.

Title read and approved.

Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, Palmeri, Perry, Routier, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—28.

NOES—None.

Title read and approved.

Assembly Bill No. 101—An Act making an appropriation for a deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Saxe, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—28.

NOES—None.

Title read and approved.

Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—28.

NOES—None.

Title read and approved.

Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—26.

NOES—None.

Title read and approved.

Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—29.

NOES—None.

Title read and approved.

Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Days, Dougherty, Filcher, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Taylor, Wallis, and Whitney—24.

NOES—None.

Title read and approved.

Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Days, DeLong, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—29.

NOES—None.

Title read and approved.

Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—30.

NOES—None.

Title read and approved.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—28.

NOES—None.

Title read and approved.

Assembly Bill No. 77—An Act making an appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McClure, Parkinson, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—26.

NOES—None.

Title read and approved.

Assembly Bill No. 346—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Spencer of Napa, Steele, Vrooman, and Wright—27.

NOES—None.

Title read and approved.

Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for the arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Days, DeLong, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Perry, Routier, Spencer of Napa, Taylor, and Vrooman—23.

NOES—Mr. Hurlburt—1.

Title read and approved.

Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for the transportation of the insane for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Vrooman—29.

NOES—None.

Title read and approved.

Assembly Bill No. 92—Temporarily passed on file.

Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of the Insane Asylum at Stockton for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—31.

NOES—None.

Title read and approved.

Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Read first time, and passed by the following vote:

AYES—Messrs. Baldwin, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Whitney—28.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That the Secretary of the Senate be and he is hereby instructed, that in making up the files for to-morrow, March fifth, he place the Assembly Bills first upon the files, leaving all Senate Bills, whether upon the third, second, or first reading file, below all Assembly Bills, and that only Assembly Bills shall be considered in their order on the file during the session on said fifth of March: *provided*, that whenever an Assembly Bill relates to the same subject-matter as a Senate Bill, the Assembly Bill may be substituted on the file for the Senate Bill, of the same reading.

Adopted.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure, for the thirty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Wright—27.

NOES—None.

Title read and approved.

Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Days, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Mahler, Parkins, Perry, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—22.

NOES—None.

Title read and approved.

Mr. Vrooman moved that Assembly Bill No. 92 be referred to Mr. Knight, a special committee of one, with special instructions to amend as follows:

Amend section one, by inserting, after the word "appropriation," on line seven, of page one, of the original bill, the words "for transportation."

So ordered.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 92—have had the same under consideration, and respectfully report that the same has been amended, as instructed.

BENJAMIN KNIGHT.

Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Pal-

meri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—26.
 NOES—None.

Title read and approved.

Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Days, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—26.

NOES—None.

Title read and approved.

Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Parkinson, Perry, Spencer of Stanislaus, Steele, Taylor, and Vrooman—24.

NOES—None.

Title read and approved.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds for thirty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, Parkinson, Perry, Saxe, Steele, Taylor, Vrooman, and Whitney—25.

NOES—None.

Title read and approved.

Assembly Bill No. 227—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Mahler, Parkinson, Perry, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—27.

NOES—None.

Title read and approved.

Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of Stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Mahler, Parkinson, Perry, Saxe, Spencer of Stanislaus, Taylor, Wallis, and Whitney—25.

NOES—None.

Title read and approved.

Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, and Wright—29.

NOES—None.

Title read and approved.

Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Days, DeLong, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lynch, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, and Whitney—23.

NOES—None.

Title read and approved.

Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright—29.

NOES—None.

Title read and approved.

Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, and Whitney—31.

NOES—None.

Title read and approved.

Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Mahler, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, and Wright—25.

NOES—None.

Title read and approved.

Assembly Bill No. 235—An Act making an appropriation for the

deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Cox, Creighton, Cross, Days, Drum, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Parkinson, Perry, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—21.

NOES—None.

Title read and approved.

Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—33.

NOES—None.

Title read and approved.

Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wright—30.

NOES—None.

Title read and approved.

Assembly Bill No. 213—An Act making an appropriation to pay the cost and expenses of a suit in which the State was a party against C. D. Bunker, Commissioner of Immigration.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Vrooman—28.

NOES—None.

Title read and approved.

Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Vrooman—28.

NOES—None.

Title read and approved.

Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Vrooman—31.

NOES—None.

Title read and approved.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—33.

NOES—None.

Title read and approved.

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Wright—32.

NOES—None.

Title read and approved.

Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—29.

NOES—None.

Title read and approved.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—30.

NOES—None.

Title read and approved.

Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—30.

NOES—None.

Title read and approved.

Mr. Filcher moved to suspend the rules, and take up, out of order, Senate Bill No. 22, and read same third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—35.

NOES—Mr. Johnson of San Bernardino—1.

Title read and approved.

Mr. Cox moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bills Nos. 350, 78, 572, 297, and 562, be declared cases of urgency, and considered, read first and second times, and placed upon their passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry,

Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—36.

Nays—None.

Mr. Perry moved to suspend the rules, and take up, out of order, Assembly Bill No. 545, and read same first time.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read first time, and placed on file for second reading.

Mr. Cross moved to suspend the rules, and take up, out of order, Assembly Bill No. 312, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At eleven o'clock and fourteen minutes P. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 5, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynen, Mahler, McClure, Palmeri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Knight, further reading was dispensed with, and the Journal approved.

Mr. Taylor stated that he was not present during the day when the vote was taken on Senate Bill No. 249. He wanted his vote recorded "aye" on Senate Bill No. 249.

So ordered.

INTRODUCTION OF A BILL—(BY UNANIMOUS CONSENT).

By Mr. Knight: Senate Bill No. 327—An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks.

Placed on file.

Mr. Knight moved to make this bill the special order for to-morrow, at twelve o'clock.

So ordered.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Wright moved to suspend the rules, and take up, out of order, Senate Bill No. 251, and read same second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Read second time, and amendment of the committee, as follows, adopted:

Amend section one, line thirty-six, printed bill: after the word "city," insert "provided that the Board of Trustees shall have power to transfer money from one fund to the other, whenever occasion requires."

Bill read second time, ordered engrossed, as amended, and to a third reading.

On motion of Mr. Wright, this bill was made the special order for to-morrow, after special order already set.

INTRODUCTION OF A BILL—(BY UNANIMOUS CONSENT).

By Mr. Langford: Senate Bill No. 328—An Act to appropriate money to complete the sewerage system of the State Asylum for the Insane, at Stockton, by opening North Street Canal from the said asylum grounds to the San Joaquin River.

Mr. Baldwin moved to suspend the rules, and take up, out of order, Senate Bill No. 328, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 328—An Act to appropriate money to complete the sewerage system of the State Asylum for the Insane, at Stockton, by opening North Street Canal from the said asylum grounds to the San Joaquin River.

Read first time, and, on motion of Mr. Baldwin, this bill was made the special order for to-morrow, after special orders already set.

SPECIAL ORDER.

Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment

or amendments to the Constitution of the State of California, proposed by the Legislature thereof, at its twenty-sixth session.

Read second time.

Mr. Spencer of Stanislaus moved to amend section one, line six, by striking out the words "Saturday, the sixth day of June," and inserting the following words in lieu thereof: "first Saturday in October."

Ayes and noes demanded by Senators Spencer of Stanislaus, Lynch, and Reddy.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Cox, Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—14.

NOES—Messrs. Beauvais, Boone, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Vrooman, Whitney, and Wright—23.

Bill ordered placed on file for third reading.

On motion of Mr. McClure, this bill was made the special order for to-morrow morning, immediately after reading the Journal.

MEMORIAL.

Mr. Whitney presented a memorial, signed by a large number of prominent citizens of California, asking for an appropriation of five thousand dollars a year for the next two years for the Ladies' Silk Culture Society of California.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide money for the expenses thereof.

Ordered placed on file.

Also, Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane."

To enrollment.

Also, Assembly Bill No. 564—An Act to amend section twelve hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

FRANK D. RYAN, Chief Clerk.
By C. S. LONG, Assistant Clerk.

Ordered placed on file.

SPECIAL FILE—THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Fifteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for payment of the same.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of

Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Title read and approved.

CALL OF THE SENATE.

Mr. McClure moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Parker.

On motion of Mr. Vrooman, further proceedings under the call of the Senate were dispensed with.

Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—26.

NOES—Messrs. Beauvais, Boone, Chandler, Filcher, Hurlburt, Johnson of San Bernardino, Langford, Lynch, Mahler, Parkinson, and Saxe—11.

Title read and approved.

INTRODUCTION OF A BILL—(BY UNANIMOUS CONSENT).

By Mr. Cross: Senate Bill No. 329—An Act to exclude all Chinese from the public schools of California.

Placed on file.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Whitney, and Wright—32.

NOES—None.

Title read and approved.

Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lowe, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Whitney, and Wright—31.
 NOES—None.

Title read and approved.

Mr. Boone asked leave to withdraw Senate Bill No. 324.

So ordered.

Assembly Bill No. 297—An Act to amend the Code, in relation to the taxation of ferryboats and all water crafts.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Cross, DeLong, Del Valle, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, Perry, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—23.

NOES—Messrs. Creighton, Drum, Hurlburt, Kelly, Langford, Lynch, McClure, Palmieri, Parkinson, and Routier—10.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: Your Committee on State Library beg leave to submit the following report: We have examined the accounts, registers of books, and records of the State Librarian, and find them in a satisfactory condition. In the matter of finances, the library is in a good state, the amount now on hand, as appears from the Controller's books, being fifteen thousand seventy-seven dollars and sixty-eight cents. This is now in the treasury, and subject to the order of the Library Trustees.

We find the books conveniently arranged, well bound, and kept in good condition. The system of exchanges now in operation makes the Law Library especially complete in reports and statutes of other States and Territories, without any expense, and the text-books and foreign reports are supplied at a moderate cost. The attic contains many thousands of volumes of public documents, piled upon the floor in great heaps, or banked three deep upon the shelves. This renders them often inaccessible, and always inconvenient of access, yet they now occupy the only available space for them. A remedy for this condition of things lies in the removal of the cabinet from the room where it now is, and devoting the space thus obtained to the proper arrangement of State, national, and foreign public reports and documents.

We hear of no complaints, and believe the management of this department gives general satisfaction.

DEL VALLE, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

On motion of Mr. McClure, this bill was passed on file.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—35.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred resolutions as follows:

Resolved, That D. B. Woolf, clerk of the special committee appointed to investigate the books, papers, etc., in the office of the Secretary of State, as per resolutions adopted February 11 and 13, 1885, be allowed the sum of two hundred and forty-seven dollars and twenty cents, for expenses incurred by said committee in conducting said investigation, as follows:

| | |
|---|----------|
| Experting the books and papers in the offices of the Secretary of State and State Board of Examiners..... | \$50 00 |
| Mileage to San Francisco and return, serving subpoenas on witnesses..... | 16 80 |
| Serving subpoenas on twenty-six witnesses, as follows: H. P. Bancroft, F. A. Colley, S. B. Welch, Jacob Apple, Josiah J. Le Count, James Moffitt, James Taylor, Harry R. Williar, W. H. Cone, Howard Russell Johnson, James O'Meara, V. A. McClatchy, Harry W. Rivett, H. A. Weaver, G. M. Mott, A. J. Johnston, Fred. W. Day, A. E. Shattuck, C. Lee Brown, William Tormey, Charles Sellinger, M. Hanrahan, John Q. Brown, A. A. Redington, T. H. Wallis, and M. R. Beard..... | 26 00 |
| Postage, telegraphing, etc..... | 1 00 |
| Carriage hire for J. P. Dunn, witness..... | 1 50 |
| Fees of Sheriff of San Francisco in serving subpoena on witness Johnson..... | 1 50 |
| Mileage and per diem for the following witnesses from San Francisco: | |
| J. P. Le Count—mileage, \$16 80; per diem, \$2..... | 18 80 |
| F. A. Colley—mileage, \$16 80; per diem, \$2..... | 18 80 |
| S. B. Welch—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Jacob Apple—mileage, \$16 80; per diem, \$2..... | 18 80 |
| James Moffitt—mileage, \$16 80; per diem, \$2..... | 18 80 |
| James Taylor—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Harry R. Williar—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Howard R. Johnson—mileage, \$16 80; per diem, \$2..... | 18 80 |
| Total..... | \$247 20 |

Have had the same under consideration, and respectfully submit the following:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of D. B. Woolf, for the sum of two hundred and forty-seven dollars and twenty cents.

Adopted.

Also, the following, by Mr. Wallis:

Resolved, That K. R. Wilson be and he is hereby allowed the sum of three hundred and twenty dollars, for services as stenographer in taking the testimony before the special Senate committee to investigate the defalcations in the office of the late State Treasurer, and for transcribing the same; and the Controller of State is hereby directed to draw his warrant for said sum in favor of the said K. R. Wilson upon the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully submit the following as a substitute:

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant, payable out of the Contingent Fund of the Senate, in favor of K. R. Wilson, for the sum of two hundred and eight dollars and sixty-eight cents, for services as stenographer of said committee.

Substitute adopted.

Also, the following:

Resolved, That K. R. Wilson, stenographer of the special committee appointed to investigate the books and papers in the office of the Secretary of State, as per resolution adopted February 11 and 13, 1885, be allowed the sum of two hundred and forty-seven dollars, for services as stenographer and transcription of testimony.

Have had the same under consideration, and respectfully submit the following as a substitute:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of K. R. Wilson, for the sum of two hundred and forty-two dollars and eighty cents.

Substitute adopted.

Also, the following:

Resolved, That the sum of thirty-seven dollars be and the same is hereby appropriated out of the Contingent Fund of the Senate, to pay witness fees and the cost of subpoenaing the same, who appeared and testified before the committee appointed by the Senate to investigate into the defalcation in the office of the late State Treasurer, W. A. January, and the Controller of State is ordered to draw his warrant in favor of I. G. Messec, Sergeant-at-Arms, who is hereby authorized to disburse the same.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

Also, submit the following:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of Senator P. Reddy, Chairman of Senate Committee on State Prisons, for three dollars and seventy-five cents, the same being for telegrams.

Adopted.

Also, submit the following resolution:

Resolved, That from and after this date, the clerks of all Senate committees, except Committees on Engrossment and Enrolled Bills, be and they are hereby discharged.

Mr. Perry amended as follows: *provided*, that they be allowed pay for the full week ending March 7, 1885.

Resolution, as amended, adopted.

The hour of recess having arrived, the President declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Saxe, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright.

Quorum present.

SPECIAL ORDER.

Consideration of Governor's message relative to appointments.

Mr. Kellogg moved that the special order set for this hour, two o'clock P. M., the consideration of the Governor's appointments, be postponed until to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Kellogg asked leave to withdraw Senate Bill No. 153.

So ordered.

CALL OF THE SENATE.

Mr. Reddy moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

On motion of Mr. McClure, further proceedings under the call of the Senate were dispensed with.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—33.

NOES—Mr. Filcher—1.

Title read and approved.

Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising, and subdividing into new sections, sections one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four of said Act, shall be hereafter known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Read third time, as far as section one hundred and ninety-four.

REPORT OF COMMITTEE ON FREE CONFERENCE.

MR. PRESIDENT: The Committee of the Senate appointed on Free Conference respecting Assembly Bill No. 403, appointed to act with a committee from the Assembly, respectfully report that they have held two meetings, and that they cannot agree.

R. F. DEL VALLE.
A. L. CHANDLER.
J. A. FILCHER.

Mr. Del Valle asked for further time to confer.

On motion of Mr. Foster, the committee was granted further time.

Mr. McClure moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am most respectfully directed to return your honorable body Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California, for the thirty-seventh and thirty-eighth fiscal years—for correction: the message from your honorable body announces that the bill has been amended. On examination of the Assembly Bill we find no amendments attached and no certificate of the Secretary that there were any amendments made to the bill, but instead a printed bill accompanied the Assembly Bill, indicating that the bill had been amended. It is the opinion of the House that the amendments of the Senate should be attached to the original engrossed Assembly Bill, with the certificate of the Secretary that the same was amended.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved that the Secretary be instructed to comply with the wishes of the Assembly, although he was of the opinion that the action of the Senate in engrossing the Assembly Bill with amendments was proper, but for the purpose of harmony, would move as above.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Assembly Bills Nos. 216 and 489—have examined the same, and find them correctly engrossed.

FILCHER, Chairman.

Consideration of Substitute for Assembly Bill No. 72 resumed.

Third reading of bill resumed at section one hundred and ninety-four.

Third reading of bill completed.

Mr. Knight moved to recommit the bill to Senator Spencer of Napa, with the following instructions:

Amend section one hundred and eighty-two, by striking out the words "six hundred and fifty," on line fifteen, of the printed bill.

Ayes and noes demanded by Senators DeLong, Spencer of Napa, and Reddy.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Days, Johnson of Sonoma, Kelly, Knight, Langford, McClure, Palmieri, Vrooman, Whitney, and Wright—13.

NOES—Messrs. Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Lynch, Mahler, Parkinson, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, and Steele—20.

On motion of Mr. Spencer of Napa, the vote on the final passage of this bill was temporarily passed.

Assembly Bill No. 489 passed on file.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Drum, Filcher, Hurlburt, Kelly, Knight, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—27.

NOES—Messrs. Days, Johnson of San Bernardino, Kellogg, Lowe, Parkinson, and Saxe—6.

Title read and approved.

Mr. Baldwin moved to take up Assembly messages.

So ordered.

Mr. Spencer of Napa moved a call of the Senate.

Lost.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act to establish a Civil Code, approved March 21, 1872, relating to powers of corporations.

To enrollment.

Also, Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

To enrollment.

Also, refused to pass Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Also, amended and passed Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

To enrollment.

Also, passed Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing.

To enrollment.

Also, Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills.

Ordered placed on file.

Also, Assembly Bill No. 394—An Act in relation to trespassing animals.

Ordered placed on file.

Also, Assembly Bill No. 340—An Act to add a new section to the Penal Code, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Ordered placed on file.

Also, Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

To enrollment.

Also, Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

To enrollment.

Also, Senate Bill No. 176—An Act concerning municipal corporations.

To enrollment.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved that the Senate do now concur in amendments of the Assembly to Senate Bill No. 282.

So ordered.

AMENDMENT TO SENATE BILL No. 282.

AN ACT

To provide an additional Asylum for the Insane of the State of California.

SECTION 1. There shall be established, upon a site to be selected as hereinafter provided, a State hospital for the treatment of the chronic insane, to be designated by the name of the California Hospital for the Chronic Insane.

SEC. 2. The Governor is hereby authorized and directed to appoint not less than three Commissioners, whose duty it shall be to select a site for the said hospital.

SEC. 3. The Commissioners shall select a site for said hospital to be erected under this Act, and in the selection of such site, the Commissioners shall decide solely upon and be governed by advantages for health, adaptability for the purposes of the institution, and convenience of access from the different parts of the State.

SEC. 4. The Commissioners shall ascertain the cost of the proposed site, and report the same to the State Board of Examiners for approval, and if approved by the Board of Examiners, but not otherwise, shall purchase the same for and on behalf of the State.

SEC. 5. The actual traveling and other expenses of said Commissioners, while engaged in the duties of their office, shall be paid out of any money in the State Treasury not otherwise appropriated. The amount of such expenses to be certified to, approved, and allowed by the State Board of Examiners.

SEC. 6. Immediately after the purchase of such site, the Governor is hereby authorized and directed to appoint five Trustees of said hospital, of whom three shall serve for two years, and two for four years, and thereafter the terms of office of Trustees shall be four years. If, at any time, a vacancy occurs in the Board of Trustees, the Governor shall appoint a suitable person to act as Trustee for the unexpired term. The Trustees shall qualify, by taking an official oath, within ten days after the date of their appointment, and shall organize by selecting one of their number to act as Chairman. They shall also have power to select a Secretary, whose compensation shall be fixed by them, but shall not exceed twelve hundred dollars per annum.

SEC. 7. As soon as practicable after their appointment the said Trustees shall procure and adopt, by and with the advice and recommendation of the Resident Physician of the Insane Asylum at Napa, and the Medical Superintendent of the Insane Asylum at Stockton, plans and specifications for the construction of the hospital to be constructed under the provisions of this Act, and shall submit the same to the State Board of Examiners for approval, and upon the approval thereof by the Board of Examiners, but not otherwise, shall proceed with the construction of the said hospital.

SEC. 8. Upon the approval of such plans, drawings, and specifications, the Board of Trustees shall advertise for bids for the construction of said hospital, and shall award the contract for the construction thereof to the lowest responsible bidder, subject to the approval of the State Board of Examiners, and if approved by such Examiners, but not otherwise, shall enter into a contract with the said lowest bidder for the construction of said hospital; *provided*, no bid shall be accepted or approved, the amount of which, added to the cost of the purchase of the site, shall exceed the sum of two hundred and fifty thousand dollars.

SEC. 9. Said Trustees shall have power to employ a competent architect to make the necessary plans, and drawings, and specifications, and also to employ a competent person to superintend the construction of said hospital, whose compensation shall be fixed by the Board of Trustees, subject to the approval of the State Board of Examiners. The Superintendent of construction may be removed at any time by said Trustees and another appointed in his place, and in case of such removal such Superintendent shall receive compensation for the services actually rendered by him.

SEC. 10. Said Trustees shall, at the time of entering into the contract for the construction of such hospital, require of the contractor a bond, in such sum as they may designate, for the faithful performance and full execution of the said contract, which bond shall be executed by sufficient sureties, and be subject to approval by the Board of Examiners.

SEC. 11. Upon the completion of said hospital, the same shall be conducted under the control and management of the Board of Trustees, and their successors in office. They shall cause to be kept a full and correct record of their proceedings, which shall be open at all times to the inspection of any citizen desiring to examine the same. As soon as they shall deem it necessary for the proper completion, furnishing, and management of said hospital, the said Trustees shall elect a Medical Superintendent, whose term of office shall be four years. And thereafter the said Trustees shall elect a Medical Director when it becomes necessary by the expiration of his term of office, or from any other cause.

SEC. 12. The Medical Director shall be an educated and experienced physician, and a regular graduate in medicine, and shall have practiced at least five years from the date of his diploma. He shall be the chief executive officer of the hospital, and shall have like powers, duties, responsibilities, and obligations over the said hospital, and its patients, as are conferred by law upon the Resident Physician over the State Insane Asylum at Napa.

SEC. 13. When said hospital shall be ready for the admission of patients, and thereafter, when a vacancy occurs, in the office hereby authorized, the Trustees shall elect one or more

Assistant Physicians, as in the judgment of the Trustees the proper management of the hospital may demand, whose term of office shall be four years, and until his successor is appointed and qualified. The duties of the Medical Director, in his absence or sickness, shall be performed by the Assistant Physician. The Assistant Physician shall be a regular graduate in medicine.

SEC. 14. The Medical Director and the Assistant Physician shall both reside at the hospital, and shall not engage in practice other than in the employment of the State.

SEC. 15. No patient shall be admitted to this hospital except the chronic and harmless classes of the insane in the asylums for the insane of this State, and the transfer of such patients from said asylums shall be made by their respective Boards of Directors or Trustees, by and with the advice and consent of the Medical Superintendent or Resident Physician. The expense of transferring said patients shall be paid out of the funds of the asylum from which such patients are removed.

SEC. 16. The salaries of the Medical Director and the Assistant Physician shall be of the same amount as those allowed to the Resident Physician and Assistant Physician, respectively, at the State Asylum for the Insane at Napa.

SEC. 17. Except in so far as limited or enlarged by the provisions of this Act, the said Trustees shall have the same power, duties, responsibilities, and obligations, as are conferred by law upon the Trustees of the State Asylum for the Insane at Napa, and shall receive like compensation; *provided, however*, that during the construction of said hospital the said Trustees may receive from the State their actual traveling and other expenses while engaged in the duties of their offices; the amount of such expenses to be certified to and approved and allowed by the State Board of Examiners.

SEC. 18. For the purchase of the site, and erection of the hospital, herein provided for, the sum of two hundred and fifty thousand dollars is hereby appropriated, of which amount one half is appropriated for the thirty-seventh fiscal year and one half for the thirty-eighth fiscal year, to be paid out of the General Fund; and the State Board of Examiners shall audit and allow all demands arising under the provisions of this Act, and the Controller shall thereupon draw his warrant therefor, payable out of the General Fund.

SEC. 19. This Act shall take effect from and after its passage.

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drun, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmeri, Parkinson, Perry, Reddy, Routier, Saxc, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—33.

NOES—Messrs. Lynch and Vrooman—2.

QUESTION OF PRIVILEGE.

Mr. Whitney arose to a question of privilege, and read from an article in the San Francisco Chronicle of to-day, charging that Senate Bill No. 50, introduced by him, was introduced on behalf of railroad influence, with the intention of obstructing the passage of other bills, known as "the Fresno bills," upon the same subject. He denounced the statement of his motives, and the influences under which it is alleged he was acting, as unjust, calumnious, and false.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Second reading refused.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one, of article thirteen, of the Constitution, relative to taxation on growing crops, etc.

Second reading refused.

Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Read first time, and ordered placed on file for second reading.

FIRST READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Read first time, and placed on file for second reading.

Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Read first time, and placed on file for second reading.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Read first time, and placed on file for second reading.

Substitute for Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide money for the expenses thereof.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Read third time, and passed by the following vote:

Ayes—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Palmeri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Wright—31.

Nays—None.

Title read and approved.

Mr. McClure moved, that unanimous consent be granted to reconsider the vote whereby Assembly Bill No. 89 was ordered engrossed on March fourth.

So ordered.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Mr. McClure moved to reconsider the vote whereby section six was amended.

So ordered.

Upon the question, "Shall the amendment to section six prevail?"

Amendment lost.

Mr. Wright offered the following amendment to section seven:

Amend section seven, in line five, after the word "determine," by adding the words "*provided, that no such property shall be selected without the approval and recommendations of the Resident Physician of the Napa Insane Asylum at Napa and the Medical Superintendent of the Insane Asylum at Stockton.*"

Adopted.

Bill, as amended, ordered engrossed, and to a third reading.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: The Committee on Free Conference, appointed by the Senate to meet the committee of the Assembly on Senate Bill No. 403, respectfully report that, by leave of the Senate, another meeting has been held, and that we cannot agree.

R. F. DEL VALLE.
A. L. CHANDLER.
J. A. FILCHER.

Mr. Knight moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully returns to the Senate, Assembly Bill No. 168—An Act making an appropriation for deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-sixth fiscal year, with a statement that a substitute accompanies the bill without any indorsement of action thereon, nor a certificate of the Secretary of the Senate to the fact of either its adoption or rejection.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved to reconsider the vote whereby Assembly Bill No. 168 was passed.

So ordered.

Mr. Knight moved to reconsider the vote whereby Assembly Bill No. 168 was ordered read third time.

So ordered.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Read second time, and committee amendment, as follows, adopted:
Substitute for Assembly Bill No. 168:

AN ACT

Making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of forty thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to provide and maintain a permanent revolving fund for the purchase of jute for the State Prison at San Quentin; all moneys taken therefrom to be used exclusively in payment for jute to be used in manufacturing in said State Prison; and so much of the money received from the sale of any goods manufactured from said jute shall be returned to the said revolving fund, so that the fund shall contain forty thousand dollars before any of the proceeds from the sale of said manufactured goods are used for any other purpose than the purchase of jute.

SEC. 2. This Act shall take effect immediately.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 168 be declared a case of urgency, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Mahler, Palmieri, Parkinson, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—30.

NOES—None.

Assembly Bill No. 168 read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—31.

NOES—None.

Title read and approved.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Referred to Committee on Enrollment.

Also, as amended, Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved that the Senate do now concur in the amendment of the Assembly to Senate Bill No. 47.

So ordered.

Amendment of the Assembly to Senate Bill No. 47:

Amend section one, line eight, by inserting, after the word "authority," the words "and it shall be his duty."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—31.

NOES—None.

GENERAL FILE—(RESUMED).

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—33.

NOES—None.

Title read and approved.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Read third time.

Mr. Kellogg moved that Assembly Bill No. 150 be referred to Senator Del Valle, as a committee of one, with special instructions to amend said bill as follows:

Amend section two, by inserting, after the words "Civil Court," on line twelve, printed bill, the following:

"Whenever such commanding officer shall approve the application of two thirds of the members of a company requesting the discharge of an enlisted man thereof."

"If, at a regular meeting of a company, or at a meeting called for the purpose, two thirds of the members of a company desire by vote the discharge of one of their members, an application for the discharge of such soldier, setting forth the facts and giving the reasons thereof, shall be made by the company commander."

Amend section three, by striking out, after the word "private," on line four, printed bill, the words "except artillery companies and Gatling gun batteries, which may consist of a maximum number of one hundred and fifty-nine officers and privates."

Also, amend section eleven, by striking out the following, commencing on line twenty-six: "There shall also be paid, from the military appropriation of the State, the sum of six hundred dollars for the purchase of light carriages for the four Gatling guns now in possession of the Gatling Battery, 'A' Company, Second Artillery Regiment, Second Brigade, National Guard California, which shall be suitable for hand service, and for the purpose of making said company a more efficient arm of the military service in a city, especially in case of riot."

So ordered.

Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Cox, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—29.

NOES—None.

Title read and approved.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of actions.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Steele, Vrooman, and Wright—29.

NOES—None.

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 489 be recommitted to Mr. Chandler, a committee of one, with special instructions to amend as follows:

Commit Assembly Bill No. 489 to Mr. Chandler, with special instructions to strike out lines sixty-one, sixty-two, and sixty-three of printed bill.

2. Strike out the words "seventy-eight," on line sixty-five, of printed bill, and insert "eighty-five."

3. By renumbering the clauses, beginning with the twenty-seventh, of the bill, so that the numbers of each shall be one less than the same now is.

4. Amend, by inserting, after the enacting clause, the words "section one hundred and sixty-two of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1882, is hereby amended so as to read as follows."

So ordered.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: Your select committee of one, to whom was referred Assembly Bill No. 489, with special instructions to amend, would respectfully report that the instructions of the Senate have been carried out as ordered.

A. L. CHANDLER.

Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drinn, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmeri, Parkinson, Reddy, Routhier, Saxe, Spencer of Stanislaus, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drinn, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmeri, Parkinson, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—32.

NOES—Mr. Perry—1.

Title read and approved.

Mr. Whitney moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Mr. Whitney moved that the Senate do now concur in the amendments of the Assembly to Senate Bill No. 97.

So ordered.

AMENDMENTS OF THE ASSEMBLY TO SENATE BILL No. 97.

Amend, by striking out, in section one, line seven, the words "packages or baskets."

In line nine, the words "packages and baskets."

In section two, line eight, the word "fruit," and in line nine, the words "on labels."

In lines sixteen and seventeen, all the words after the word "disinfection," in line sixteen.

In section three, lines eleven and twelve, the words "Inspector of Fruit Pests or a Quarantine Guardian appointed by the," and all of section seven.

Roll called, and the amendments concurred in by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—32.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(CONTINUED).

Also, passed Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Enrollment.

Also, Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Enrollment.

Also, Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Enrollment.

Also, Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Enrollment.

Also, Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Enrollment.

Also, Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes, by the Assessor, on certain personal property.

Enrollment.

Also, Assembly Bill No. 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

FRANK D. RYAN, Chief Clerk.

Mr. McClure moved to suspend the rules, and take up, out of order, Assembly Bill No. 576, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

Read first time.

Mr. McClure moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 576 be declared a case of urgency, and considered read second time.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—34.
NOES—Messrs. Baldwin, Filcher, and Lynch—3.

On motion of Mr. McClure, the rules were further suspended, and Assembly Bill No. 576 read third time, and passed by the following vote :

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—30.
NOES—Messrs. Baldwin, Filcher, Foster, Johnson of Sonoma, and Lynch—5.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Vrooman :

Resolved, That the Secretary of the Senate be and he is hereby instructed, that in making up the files for to-morrow, March sixth, he place the Assembly Bills first upon the files, leaving all Senate Bills, whether upon the third, second, or first reading file, below all Assembly Bills, and that only Assembly Bills shall be considered in their order on the file during the session on said sixth day of March : *provided*, that whenever any Assembly Bill relates to the same subject-matter as a Senate Bill, the Assembly Bill may be substituted on the file for the Senate Bill, of the same reading.

Adopted.

RECESS.

At five o'clock P. M., Mr. Knight moved to take a recess until seven o'clock and thirty minutes P. M.

Ayes and noes were demanded by Senators Lowe, Wright, and Drum.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Beauvais, Cox, Creighton, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—25.
NOES—Messrs. Boone, Chandler, Cross, Days, DeLong, Filcher, Foster, Kelly, Lowe, Lynch, Perry, Saxe, and Spencer of Stanislaus—13.

Whereupon, the President declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate reassembled.
 President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

GENERAL FILE—(RESUMED)—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read second time, and placed on file for third reading.

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read second time, and amendment of the committee to the title, as follows, adopted:

Amend the title of this bill, so it shall read: "An Act to amend section two hundred and seventy-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' relative to the compensation of Court Reporters."

Mr. Perry moved to amend as follows: insert, on line twenty-nine, of printed bill, section one, after the word "same," the following words: "*provided, further,* that in the departments of Superior Courts devoted exclusively to the trial of criminal cases, the Judge of the Court shall, in addition, fix and allow a reasonable compensation for the transcription of testimony, to be paid out of the county or city and county treasury upon the order of the Judge."

Adopted.

Mr. Filcher moved to strike out the enacting clause.

After debate, the ayes and noes were demanded by Senators Filcher, Lowe, and Johnson of San Bernardino.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Creighton, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, and Wright—16.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Cross, DeLong, Del Valle, Dougherty, Hurlburt, Kellogg, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Steele, Vrooman, and Wallis—19.

Upon the question, "Shall this bill be read a third time?"

The ayes and noes were demanded by Senators Filcher, Spencer of Napa, and Drum.

Roll called, and the bill ordered to a third reading by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Cross, DeLong, Del Valle, Dougherty, Foster, Hurlburt, Kellogg, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Steele, Vrooman, and Wallis—20.

NOES—Messrs. Beauvais, Creighton, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, and Wright—16.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 150, with instructions to insert the amendments adopted by the Senate, reports the same back, amended as instructed.

R. F. DEL VALLE.

Mr. McClure moved to take up Assembly Bill No. 89.

So ordered.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—30.

NOES—Messrs. Filcher, Langford, Lynch, Spencer of Stanislaus, and Wright—5.

Title read and approved.

Mr. Lynch moved to reconsider the vote whereby the amendments of a special committee of one were adopted to Assembly Bill No. 489.

So ordered.

Mr. Lynch moved to refer Assembly Bill No. 489 to Mr. Chandler, with special instructions to insert, after the enacting clause, the following words: "Section one hundred and sixty-two of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, is hereby amended so as to read as follows."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, March 5, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 489, with special instructions to amend, begs leave to report the same back, with the amendments by the said order required.

A. L. CHANDLER.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read second time, and placed on file for third reading.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Upon the question, "Shall this bill be read a third time?" it was so ordered.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read second time, and placed on file for third reading.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and titles to the estates of deceased persons.

Read second time, and placed on file for third reading.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Read second time, and committee amendments, as follows, adopted:

Add, after the word "California," the following: "Approved March 21, 1872."
Also, strike out all of section two.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 74—An Act to amend section five hundred and

ninety-nine of the Civil Code of the State of California, relating to corporations.

Read second time, and committee amendments, as follows, adopted :

Add, after the word "California," the following: "Approved March 21, 1872."
Also, strike out all of section two.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

On motion of Mr. Kellogg, this bill was passed on file.

Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878.

Read second time, and committee amendments, as follows, adopted :

Strike out, in line one of title, in printed title, the word "two," and substitute in lieu thereof the word "four."

Strike out, in lines seven, eight, nine, and ten, of section two, of printed bill, the following: "The Dean, Chief Justice of the State of California, and S. C. Hastings, shall have every privilege and power, as to said college, which the common law of England gives to the founders of eleemosynary institutions of England," and insert in lieu thereof the following: "If from any cause there shall be no Chief Justice, or he refuses or neglects to act, the Board of Trustees shall appoint one of their numbers to draw the funds as above provided, and also to fill any vacancy in the Board."

Bill, as amended, ordered to a third reading.

Report of Committee on State Prisons and Prison Buildings presented, and, on motion of Mr. Vrooman, five hundred copies were ordered printed.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Read second time, and ordered to a third reading.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and ordered to a third reading.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read second time, and ordered to a third reading.

Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read second time, and amendment of the committee, as follows, adopted :

Strike out section two.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and procedure in forcible entry and unlawful detainer actions.

Read second time, and committee amendments, as follows, adopted:

Amend the title of this bill so it shall read as follows:

"An Act to amend section one thousand one hundred and seventy-three of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to amendments of pleadings, and to procedure in forcible entry and forcible and unlawful detainer."

After the words "must be," on line seven, page two, of this bill, line eight of printed bill, insert the word "made."

Bill, as amended, ordered to third reading.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read second time, and amendments of the committee, as follows, adopted:

Amend the title of this bill, so that it shall read as follows: "An Act to amend section one thousand one hundred and sixty-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to parties defendant and procedure in summary proceedings for obtaining possession of real property in certain cases."

Strike out section two of this bill.

Change the word "where," line eight, of the printed bill, to the word "when."

Bill, as amended, ordered to a third reading.

Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Read second time, and, on motion of Mr. McClure, passed on file.

Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

On motion of Mr. McClure, this bill was passed on file.

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Read second time, and committee amendment to the title, as follows, adopted:

Amend title of this bill, so it shall read as follows: "An Act to amend section eight hundred and forty-six of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the issuance of alias summons in Justices' Courts."

Bill, as amended, ordered to a third reading.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read second time, and ordered to a third reading.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read second time.

Mr. Lynch offered the following as a substitute for section two:

SEC. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the provisions and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor from the dental profession of the State at large. The term for which the members of said Board shall hold their offices shall be four years, except that two of the members of the Board first to be appointed under this Act shall hold their offices for the term of one year, two for the term of two years, two for the term

of three years, one for the term of four years, respectively, and until their successors shall be duly appointed and qualified. In case of a vacancy occurring in said Board, such vacancy shall be filled by the Governor in conformity with this section.

Adopted.

Mr. Lynch offered the following substitute for section ten:

SEC. 10. Nothing in this Act shall be so construed, as to prohibit any practicing physician from extracting teeth.

Adopted.

Mr. Whitney moved to amend, by inserting, after the word "physician," the words "or barber."

Lost.

Mr. Lynch offered the following amendment:

SEC. 11. This Act shall take effect immediately.

Adopted.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

On motion of Mr. McClure, this bill was passed on file.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read second time, and amendments of the committee, as follows, adopted:

Amend the title of said bill, so as to read as follows: "An Act to amend section six hundred and ninety of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relative to property exempt from execution."

Amend subdivision two of said Act, by inserting the following after the words "including therein," "one piano, or other musical instrument, not exceeding in value five hundred dollars."

Amend subdivision three of said Act, by striking out the word "necessary" appearing therein between the words "the" and "farming."

Amend subdivision three of said Act, by striking out the words "not to exceed in value one thousand dollars," appearing therein between the words "debtor" and "oxen."

Amend subdivision eight of said Act, by inserting after the word "attachment," where the same appears in said subdivision for the first time, the following: "not exceeding one hundred dollars."

Amend said Act, by adding two new subdivisions thereto, to appear therein after subdivision fourteen, and to be known and numbered fifteen and sixteen, and to read as follows:

15. Materials used in his trade, and articles produced in whole or in part by his own labor, not exceeding two hundred dollars in value, belonging to any mechanic or artisan carrying on his trade at a fixed place of business.

16. Stock or shares in any private ditch or a water right in any manner acquired by a land owner for the purpose of securing a necessary and reasonable supply for the irrigation of his homestead, except in connection with and appurtenant to said homestead. This exemption shall avail to the extent of securing sufficient water for the ordinary and reasonable use of said homestead and no more, and it shall not extend to actions for the purchase price of the stock, shares, or water right.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

On motion of Mr. Baldwin, this bill was passed on file.

Assembly Joint Resolution No. 1—Relative to authorizing and

directing the publication and disposal of the reports and maps prepared by the State Engineer.

Read second time, and ordered to a third reading.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read second time, and ordered to a third reading.

Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read second time.

Mr. McClure offered the following amendment to the title: amend the title by striking out the word "five," in line two of title, printed bill, and insert in lieu thereof the word "three."

Adopted.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read second time.

Mr. Baldwin offered the following amendment: strike out, on line thirteen, the word "four," and insert in lieu thereof the word "six."

Adopted.

Bill, as amended, ordered to a third reading.

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read second time, and ordered to a third reading.

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Read second time.

Mr. Whitney moved to amend as follows: strike out all of lines three, four, five, six, and to and including the word "profit," on line seven, and insert instead thereof as follows:

SEC. 41. All orders or societies organized for fraternal and benevolent purposes, but not as business enterprises, or for profit, whose members have equal privileges, and whose rules provide for the relief of members, and for the payment through the medium of lodges of stipulated sums of money to their members and to the families of deceased members.

Lost.

Mr. Knight moved to reconsider the vote whereby his amendment to Assembly Bill No. 35 was lost.

At ten o'clock and fifty-two minutes P. M., Mr. Cross moved to adjourn.

Lost.

Mr. Whitney moved a call of the Senate.

At ten o'clock and fifty-five minutes P. M., Mr. Cross moved to adjourn.

Lost.

The question being on the motion to reconsider, the same was lost.

At eleven o'clock and twenty minutes P. M., Mr. Parkinson moved to adjourn.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cross, Days, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Mahler, Parkinson, Reddy, Spencer of Stanislaus, and Wallis—14.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Knight, Lowe, Lynch, McClure, Palmieri, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Whitney, and Wright—23.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes P. M., on motion of Mr. Kellogg, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 6, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading of the Journal was dispensed with, and the Journal approved.

SPECIAL ORDER.

Consideration of Governor's message relative to appointments.

Mr. Kellogg moved that the special order set for this hour, the consideration of the Governor's appointments, be postponed until to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Lynch moved to suspend the rules, and take up, out of order, Assembly Bill No. 268, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.

Read first time.

Mr. Days moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 268 be declared a case of urgency, and read second time.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg,

Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxo, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—33.
 NOES—None.

SECOND READING OF BILL.

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.
 Read second time.

Mr. Vrooman moved to amend, as follows: amend section one, by striking out the words and figures "Section 1," and insert, in lieu thereof, the following:

SECTION 1. Section one thousand six hundred and sixty-two of the Political Code is hereby amended so as to read as follows:

"Section 1662."

Amend the title, by striking out the same, and inserting in lieu thereof the following:

An Act to amend section one thousand six hundred and sixty-two of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Bill, as amended, ordered to a third reading.

Mr. Knight moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 25—Relative to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the State of all sums by them expended in defense of the United States.

To enrollment.

Also, Senate Concurrent Resolution No. 26—Relative to a proper adjustment of the accounts of the different States, Territories, and the District of Columbia with the United States, arising out of the proceedings under the direct tax law of August 5, 1861.

FRANK D. RYAN, Chief Clerk.

To enrollment.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

FRANK D. RYAN, Chief Clerk.

To enrollment.

Also, the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully concurred in Senate amendments to Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Also, Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Also, Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Also, Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-sixth fiscal year.

Also, Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

FRANK D. RYAN, Chief Clerk.

SPECIAL ORDER.

Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof at its twenty-sixth session.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—30.

NOES—Messrs. Baldwin, Filcher, Langford, Lynch, Mahler, Reddy, and Spencer of Stanislaus—7.

Title read and approved.

RESOLUTION.

By Mr. Beauvais:

WHEREAS, The Governor's message and the appendix thereto—both very voluminous communications—are yet to be journalized, and the office of Journal Clerk has been overcrowded with work since the holding of evening sessions; and whereas, it will require some two weeks after the adjournment of this body to complete the Journal; therefore, be it

Resolved, That the Journal Clerk and assistants be and they are hereby allowed the sum of one hundred and fifty dollars each, payable out of the Contingent Fund of the Senate, for the necessary work after the final adjournment of this body to complete Senate Journal.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Mr. Beauvais gave notice that he would call for the report tomorrow.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 251, and amended Substitute for Assembly Bill No. 72, have examined the same, and find them correctly engrossed.

FILCHER, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 176—Entitled "An Act concerning municipal corporations."

Also, Senate Bill No. 316—"An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing, and to appropriate money therefor."

Also, Senate Bill No. 270—"An Act to amend section thirty-seven hundred and eighty of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the redemption of lands sold at tax sale."

Also, Senate Bill No. 83—"An Act to amend section three hundred and fifty-nine of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872."

Also, Senate Bill No. 166—"An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor."

Also, Senate Bill No. 269—"An Act to amend section three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the redemption of lands sold at tax sale."

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

To the honorable the Senate of the State of California :

Your special committee appointed to investigate the books, papers, etc., in the office of the Secretary of State, have performed the duty assigned us, and report as follows:

That we have had several meetings, examined numerous witnesses, had the books and original bills for stationery expcrted, and find that there was no collusion or fraud on the part of the Secretary of State, his deputy, or any of his clerks. The proof shows that the clerks in the office of the Secretary of State received their full pay for their own use as allowed by law. The contractors for coal, wood, and gas, each testified, and your committee find that all articles purchased for the State were duly delivered and paid for in full, and that no commissions thereon were paid to any person.

Your committee find, upon full examination, that the whole amount of Arnold's ink supplied the State, under the contract of 1882, was thirty-eight and one twelfth dozen of pint bottles, of which the present Secretary, during the whole of his term, ordered twenty-five and three fourth dozen at three dollars and seventy-five cents per dozen (contract price), amounting to ninety-six dollars and fifty-seven cents, and that the difference between the said amount paid for pint bottles and the contract price for quarts would have been but fifty-seven dollars and ninety-five cents. We also find that the contracts, under which the supplies for stationery, fuel, etc., were purchased during the past two years, were let by the State Board of Examiners in November, 1882, before the present Secretary of State and State Board of Examiners came into office.

The old ballot papers sold by the Secretary of State, for the sum of one thousand dollars, would have been entirely destroyed if not sold. That the price obtained was fair, and that the full amount was paid into the State Treasury. Your committee would recommend that the old ballot paper now on hand, of different color than that in use, be sold immediately to the best advantage; and we find that the ballot paper provided for, and used at the last Presidential election, is of good quality, uniform in color and texture, and of California manufacture, and was furnished to all parties using the same, at one dollar and twenty-five cents per ream less than at any other election since the law relating to the same was first enacted, and also that the Secretary of State endeavored, to the best of his ability, to comply with the provisions of section one thousand one hundred and eighty-seven of the Political Code. We also find that the original bills for stationery had been checked by the clerks in the Secretary's office, and overcharges and shortages noted thereon and deducted, and the discrepancies in prices mostly occurred on articles furnished upon requisition of the several State officers located at San Francisco, and that your committee had no time to examine said officers in relation thereto. Your committee also find that these discrepancies in prices have been almost universal ever since the present law relating to contracts was adopted. Your committee would recommend that as many articles have been heretofore supplied that are not enumerated in the present schedule (which was adopted in 1877), that the State Board of Examiners prepared a new schedule, which shall, as far as practicable, embrace all articles required by the several State officers, and that none others be purchased unless urgently required. And your committee would further report that the administration of the present Secretary of State, Thomas L. Thompson, has been more economical, and a less amount expended for stationery and supplies, than that of any of his predecessors since the contract system was adopted, as will be seen by the annexed statements copied from his books and those of the State Board of Examiners:

STATIONERY, LIGHT, AND FUEL FUND.

| YEAR. | Appropriation. | Amount Expended. | Amount Expended in Excess of Appropriation. | Amount of Appropriation Unexpended. |
|----------------------------|----------------|------------------|---|-------------------------------------|
| Twenty-eighth (1877)----- | \$12,500 00 | \$24,170 25 | \$11,670 25 | ----- |
| Twenty-ninth (1878)----- | 12,500 00 | 11,353 80 | ----- | \$1,146 20 |
| Thirtieth (1879)----- | 12,500 00 | 15,496 08 | 2,996 08 | ----- |
| Thirty-first (1880)----- | 12,500 00 | 23,999 89 | 11,499 89 | ----- |
| Thirty-second (1881)----- | 12,500 00 | 12,498 40 | ----- | 1 60 |
| Thirty-third (1882)----- | 12,500 00 | 19,237 68 | 6,737 68 | ----- |
| Thirty-fourth (1883)*----- | 12,500 00 | 10,383 85 | ----- | 2,116 15 |

* Extra session included.

RECAPITULATION.

| SECRETARIES OF STATE. | Amounts Expended. |
|--|-------------------|
| Beck, 1877 and 1878 (one session of Legislature)----- | \$35,524 05 |
| Beck and Burns, 1879 and 1880 (one session of Legislature)----- | 39,495 97 |
| Burns, 1881 and 1882 (one regular and one extra session)----- | 31,736 08 |
| Thompson, January, 1883, to January, 1885 (one regular and one extra session)----- | 22,022 14 |

EXHIBIT "M."

Schedule of Stationery, with prices and names of firms to whom the contracts were awarded from 1877 to 1884, copied from the books of the Board of Examiners.

| SCHEDULE OF ARTICLES. | SUCCESSFUL BIDDERS. | | | | |
|--|----------------------|---------------------|----------------------|----------------------|----------------------|
| | Bancroft & Co.—1877. | Crocker & Co.—1879. | Bancroft & Co.—1880. | Carlisle & Co.—1882. | Carlisle & Co.—1884. |
| 100 reams 16 lb legal cap paper, per ream | \$4 20 | \$3 20 | \$3 20 | \$4 00 | \$3 75 |
| 100 reams 12 lb letter paper, per ream | 3 05 | 2 45 | 2 40 | 2 40 | 2 25 |
| 100 reams 6 lb note paper, per ream | 1 50 | 1 25 | 1 26 | 75 | 1 10 |
| 100 reams 14 lb foolscap paper, per ream | | | 2 80 | 3 50 | 1 00 |
| 100 reams 16 lb foolscap paper, per ream | 3 20 | 1 80 | 1 50 | 2 00 | 1 00 |
| 100 reams 16 lb brief paper, per ream | 2 30 | 1 75 | 1 75 | 1 00 | 1 00 |
| 10 reams blotting paper, 140 lb, per ream | 18 70 | 10 00 | 8 00 | 10 00 | 15 00 |
| 10 reams blotting paper, 120 lb, per ream | | 8 00 | 6 00 | 8 00 | 5 00 |
| 75 reams 36 lb envelope paper, per ream | 4 70 | 3 40 | 5 00 | 1 50 | 4 00 |
| 10 reams heavy brown wrapping paper, 28x42, per ream | 4 05 | 4 00 | 4 00 | 3 00 | 7 00 |
| 10 reams heavy brown wrapping paper, 22x28, per ream | 3 25 | 2 80 | 2 00 | 1 50 | 2 00 |
| 50 reams cigarette paper, per ream | 1 65 | 2 00 | 1 65 | 50 | 1 75 |
| 2,000 packages Star (closet) paper, per hundred | | 12 50 | 11 00 | 9 00 | 9 00 |
| 5,000 XXX No. 4 envelopes, per thousand | 1 65 | 1 32 | 1 25 | 50 | 50 |
| 10,000 XXX No. 5 envelopes, per thousand | 1 75 | 1 52 | 1 50 | 1 00 | 75 |
| 10,000 XXX No. 6 envelopes, per thousand | 1 95 | 1 78 | 1 75 | 2 75 | 2 50 |
| 10,000 XXX No. 9 envelopes, per thousand | 4 60 | 3 43 | 3 75 | 2 00 | 1 00 |
| 10,000 XXX No. 10 envelopes, per thousand | 5 50 | 3 85 | 4 00 | 3 00 | 3 00 |
| 10,000 XXX No. 12 envelopes, per thousand | | | 4 25 | 3 00 | 2 00 |
| 5,000 XXX No. 14 envelopes, per thousand | | | 4 25 | 3 00 | 2 00 |
| 40 doz. Arnold's writing fluid, quarts, per dozen | 5 10 | 4 90 | 5 25 | 1 50 | 1 50 |
| 30 doz. Arnold's writing fluid, pints, per dozen | 2 90 | 2 80 | 2 00 | 3 75 | 3 75 |
| 35 doz. Carter's writing fluid, quarts, per dozen | 7 20 | 4 95 | 4 60 | 3 50 | 1 50 |
| 15 doz. violet ink, quarts, per dozen | 4 00 | 2 30 | 1 75 | 2 00 | 1 00 |
| 12 doz. blue ink, quarts, per dozen | 3 68 | 3 25 | 2 00 | 1 50 | 1 00 |
| 20 doz. Blackwood's black ink, quarts, per dozen | | 2 00 | 6 50 | 1 00 | 50 |
| 12 dozen Stephens' commercial black ink, quarts, per dozen | | | 3 00 | 1 25 | 1 00 |
| 40 doz. carmine ink, 4-ounce, per doz. | 2 25 | 2 00 | 2 50 | 2 00 | 50 |
| 40 doz. carmine ink, 2-ounce, per doz. | 65 | 60 | 20 | 2 00 | 2 00 |
| 12 doz. fountain inkstands, with rack, per dozen | 8 50 | 8 75 | 7 00 | 4 00 | 9 00 |
| 12 doz. flat inkstands, 3-inch, per doz. | 85 | 75 | 75 | 1 50 | 1 50 |
| 24 gross French pen-holders, (swell-handles), per gross | 1 70 | 1 60 | 1 25 | 2 00 | 2 00 |
| 300 gross (Pacific Railroad) steel pens, per gross | 39 | 35 | 35 | 50 | 50 |

EXHIBIT "M"—Continued.

| SCHEDULE OF ARTICLES. | SUCCESSFUL BIDDERS. | | | | |
|---|----------------------|---------------------|----------------------|----------------------|----------------------|
| | Bancroft & Co.—1877. | Crocker & Co.—1879. | Bancroft & Co.—1880. | Carlisle & Co.—1882. | Carlisle & Co.—1884. |
| 400 gross Gillott's steel pens, No. 303, per gross | \$0 83 | \$0 83 | \$0 82 | \$0 88 | \$0 40 |
| 400 gross Gillott's steel pens, No. 404, per gross | 42 | 42 | 41 | 50 | 50 |
| 50 gross Gillott's steel pens, No. 170, per gross | 62 | 60 | 80 | 60 | 10 |
| 400 gross Easterbrook & Co.'s steel pens, No. 161, engrossing, per gross | 50 | 55 | 50 | 50 | 60 |
| 200 gross swan steel pens, per gross | 40 | 37½ | 37 | 20 | 10 |
| 200 gross Adams' golden pens, No. 1, per gross | 75 | 55 | 55 | 30 | 10 |
| 100 gross Perry & Co.'s steel pens, Lon- don, No. 137, fine, per gross | | 35 | 33 | 30 | 10 |
| 30 doz. boxes quill pens, per dozen boxes | 3 00 | 2 37 | 2 35 | 1 00 | 50 |
| 20 doz. ruling pens, good, per dozen | 5 50 | 3 50 | 3 40 | 3 00 | 2 00 |
| 20 doz. glass cups, with sponges, per dozen | 1 80 | 1 60 | 1 60 | 1 00 | 1 25 |
| 12 doz. bronze paper weights, per doz. | 2 00 | 1 80 | 2 75 | 2 00 | 2 50 |
| 6 doz. glass paper weights, per doz. | 3 00 | 2 50 | 20 | 1 25 | 50 |
| 10 doz. newspaper files, per doz. | 4 50 | 4 00 | 4 00 | 50 | 50 |
| 10 doz. bottles pounce, per doz. | 1 00 | 90 | 90 | 70 | 1 00 |
| 10 doz. pounce boxes, per doz. | 1 45 | 1 50 | 1 50 | 1 35 | 1 50 |
| 400 sheets gold paper, per sheet | 02½ | 02½ | 02 | 02½ | 02 |
| 400 lbs heavy twine, per pound | 20 | 13 | 18 | 10 | 10 |
| 200 lbs medium twine, per pound | 23 | 13 | 18 | 20 | 20 |
| 75 gross Faber's hexagon pencils, Nos. 1, 2, 3, and 4, per gross | 5 95 | 5 98 | 5 50 | 6 00 | 7 00 |
| 75 gross Faber's round pencils, Nos. 1, 2, and 3, per gross | 4 35 | 4 35 | 2 50 | 3 00 | 1 00 |
| 75 gross Dixon's hexagon pencils, M. and S. M., per gross | 5 00 | 2 50 | 5 30 | 2 25 | 3 00 |
| 150 gross elastic bands, half inch, per gross | 90 | 95 | 1 00 | 80 | 1 00 |
| 150 gross elastic bands, quarter inch, per gross | 55 | 55 | 60 | 43 | 1 00 |
| 100 great gross elastic bands, No. 11, per great gross | 95 | 90 | 1 13 | 80 | 1 00 |
| 20 gross drawing pens, per gross | 1 00 | 1 00 | 1 00 | 75 | 1 00 |
| 15 gross mammoth ink and pencil erasers, per gross | 18 25 | 18 50 | 18 50 | 10 00 | 5 00 |
| 10 gross small ink and pencil erasers, per gross | 10 80 | 10 80 | 9 00 | 9 50 | 10 00 |
| 10 doz. Rodgers' steel erasers, per doz. | 4 50 | 3 50 | 3 50 | 6 00 | 4 00 |
| 10 doz. fine steel knife erasers, per dozen | | 2 50 | 2 50 | 2 25 | 2 00 |
| 30 doz. mucilage, quarts (give maker's name), per dozen | 5 80 | 4 50 | 5 00 | 4 35 | 3 00 |
| 20 doz. mucilage, pints (give maker's name), per dozen | 3 00 | 2 50 | 1 50 | 1 25 | 1 00 |
| 15 doz. gum royal, quarts, per dozen | 9 65 | 7 28 | 5 00 | 50 | 50 |
| 24 doz. Sisson's magic binders, per dozen | 9 50 | 10 30 | 11 25 | 15 00 | 15 00 |
| 24 doz. Shipman's adhesive files, 9x11, 250 leaves, per dozen | 7 50 | 6 90 | 5 00 | 5 00 | 5 00 |
| 24 doz. Shipman's adhesive files, 9x15, 250 leaves, per dozen | | | 9 50 | 5 25 | 2 00 |
| 12 doz. Moore's blotters, large, per dozen | 5 00 | 5 95 | 6 00 | 6 00 | 4 00 |

EXHIBIT "M"—Continued.

| SCHEDULE OF PRICES. | SUCCESSFUL BIDDERS. | | | | |
|--|----------------------|---------------------|----------------------|----------------------|----------------------|
| | Bancroft & Co.—1877. | Crocker & Co.—1879. | Bancroft & Co.—1880. | Carlisle & Co.—1882. | Carlisle & Co.—1884. |
| 12 doz. Moore's blotters, small, per dozen | \$3 50 | \$3 48 | \$3 50 | \$2 50 | \$0 50 |
| 10 doz. bankers' shears, 12-inch, per dozen | 9 50 | 6 75 | 12 00 | 10 00 | 12 00 |
| 15 doz. scissors, small, steel, per doz. | 4 00 | 3 60 | 4 50 | 75 | 75 |
| 10 doz. desk pads, demy, 12½x19½, per dozen | 5 50 | 4 00 | 3 50 | 1 25 | 1 00 |
| 10 doz. board clips, per dozen | 3 75 | 3 60 | 3 50 | 6 00 | 4 80 |
| 10 doz. mucilage stands, No. 6, Morgan's, per dozen | 4 00 | 3 62 | 3 60 | 3 50 | 3 00 |
| 15 doz. mucilage stands, small, per dozen | 1 70 | 1 40 | 1 50 | 1 25 | 75 |
| 15 doz. iron pen racks, per dozen | 3 00 | 1 30 | 1 50 | 1 25 | 2 50 |
| 25 doz. rubber rulers, 12, 14, 16, and 18-inch, per dozen (each size) | | 2 46 | 2 45 | 3 25 | 2 12 |
| 6 doz. flexible rulers, 12-inch, per dozen | | 2 53 | 2 50 | 75 | 3 00 |
| 15 doz. eyelet punches, per dozen | 22 00 | 17 50 | 19 00 | 15 00 | 21 00 |
| 6 doz. boxes J. N. eyelets, per dozen boxes | 1 88 | 95 | 1 00 | 80 | 1 20 |
| 6 doz. boxes C. Z. eyelets, per dozen boxes | 1 88 | 2 00 | 2 00 | 1 50 | 10 |
| 10,000 McGill's paper fasteners, No. 2, per thousand | 1 95 | 1 95 | 2 25 | 1 50 | 2 50 |
| 10,000 McGill's paper fasteners, No. 3, per thousand | 1 95 | 2 13 | 1 75 | 1 75 | 2 50 |
| 6 doz. willow waste-paper baskets, per dozen | | 3 90 | 3 75 | 3 50 | 4 80 |
| 12 doz. scrap-books, assorted colored paper, muslin sides, in gilt, demy, 4to, 8½ x 10½, per dozen | 8 00 | 9 00 | 8 50 | 2 00 | 50 |
| 6 doz. Mark Twain scrap-books, fancy, per dozen | | 6 00 | 6 00 | 10 00 | 4 50 |
| 6 doz. Mark Twain scrap-books, plain, per dozen | | 4 80 | 5 00 | 12 00 | 12 00 |
| 12 doz. feather dusters, Nos. 14, 16, 18, and 20, per doz., each number | 22 00 | 21 87½ | 21 27 | 19 00 | 20 00 |
| 8 doz. cap (extra Russia ends and bands) records, journals, cash-books, and ledgers, per quire | 48 | 45 | 45 | 20 | 15 |
| 8 doz. demy (extra Russia ends and bands) records, journals, cash-books, and ledgers, per quire | 82 | 78 | 80 | 30 | 25 |
| 2 doz. medium (extra Russia ends and bands) records, journals, and cash-books, per quire | 98 | 1 00 | 60 | 50 | 30 |
| 4 doz. cap, half-bound (paper) records, journals, cash-books, and ledgers, per quire | 16 | 09 | 09 | 20 | 25 |
| 4 doz. long cap, half-bound (paper) records, journals, cash-books, and ledgers, per quire | 17 | 09 | 09 | 05 | 05 |
| 3 doz. demy, half-bound (cloth) records, journals, cash-books, and ledgers, per quire | 40 | 33 | 33 | 30 | 20 |

EXHIBIT "M"—Continued.

| SCHEDULE OF ARTICLES. | SUCCESSFUL BIDDERS. | | | | |
|--|----------------------|---------------------|----------------------|----------------------|----------------------|
| | Bancroft & Co.—1877. | Crocker & Co.—1879. | Bancroft & Co.—1880. | Carlisle & Co.—1882. | Carlisle & Co.—1884. |
| 4 doz. cap, 12mo (leather covered) memorandum books, per dozen | \$1 10 | \$0 20 | \$1 00 | \$1 00 | \$1 00 |
| 4 doz. crown, 8vo (leather-covered) memorandum books, indexed, per dozen | 1 50 | 1 00 | 1 00 | 2 00 | 2 00 |
| 3 doz. demy, 8vo (leather-covered) memorandum books, indexed, per dozen | 2 25 | 1 25 | 1 25 | 3 50 | 2 00 |
| Totals..... | \$322 66½ | \$319 02½ | \$337 78 | \$288 23½ | \$274 29 |

Gross Amount of all Bids for Stationery, as per Schedule, from 1877 to 1884.

| NAME. | Amount. |
|----------------------------------|------------|
| December, 1877: (1) | |
| A. L. Bancroft & Co..... | \$8,632 79 |
| H. S. Crocker & Co..... | 9,195 66 |
| LeCount Bros..... | 9,767 23 |
| Hodge & Co..... | 10,168 50 |
| November, 1879: (2) | |
| H. S. Crocker & Co..... | \$8,125 85 |
| A. L. Bancroft & Co..... | 9,620 79 |
| Cunningham, Curtiss & Welch..... | 9,783 17 |
| Payot, Upham & Co..... | 10,037 89 |
| W. A. & C. S. Houghton..... | 10,764 20 |
| December, 1880: (3) | |
| A. L. Bancroft & Co..... | \$8,602 36 |
| H. S. Crocker & Co..... | 8,910 51 |
| Le Count Bros..... | 9,127 67 |
| Cunningham, Curtiss & Welch..... | 10,250 00 |
| A. J. Leary..... | 14,218 04 |
| November, 1882: (4) | |
| A. Carlisle & Co..... | \$7,418 60 |
| A. L. Bancroft & Co..... | 8,113 71 |
| Cunningham, Curtiss & Welch..... | 8,582 99 |
| Le Count Bros..... | 10,813 26 |
| November, 1884: (5) | |
| Carlisle & Co..... | \$6,964 30 |
| A. L. Bancroft & Co..... | 7,049 57½ |
| Le Count Bros..... | 7,304 65 |
| Cunningham, Curtiss & Welch..... | 8,151 85 |

Your committee present herewith the testimony taken upon this examination, and request that the same, with this report, be printed in the Appendix to the Journal.

All of which is respectfully submitted.

FRANK T. BALDWIN.
FRED'K COX.
GEO. STEELE.

On motion of Mr. Baldwin, the report of the committee was adopted, and the usual number of copies ordered printed.

SPECIAL ORDER—SECOND READING.

Senate Bill No. 327—An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Senate Bill No. 327 be declared a case of urgency, and considered read second time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—33.

NOES—None.

Rules further suspended, and Senate Bill No. 307 read the third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—33.

NOES—None.

Title read and approved.

SPECIAL ORDER—SECOND READING.

Senate Bill No. 328—An Act to appropriate money to complete the sewerage system of the Asylum for the Insane at Stockton, by opening North Street Canal from said asylum grounds to the San Joaquin River.

Mr. Baldwin moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Senate Bill No. 328 be declared a case of urgency, and considered read second time, and placed upon its passage.

Mr. Knight moved to postpone further consideration of this bill until two o'clock p. m. to-day, and that the State Engineer be requested to furnish a written report on this bill.

Ayes and noes demanded by Senators Langford, Baldwin, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Chandler, Cross, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Palmieri, Parkinson, Perry, Saxe, Spencer of Stanislaus, Whitney, and Wright—17.

NOES—Messrs. Baldwin, Boone, Cox, Creighton, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Langford, Mahler, Reddy, Routier, Spencer of Napa, Steele, and Vrooman—18.

The question recurring on the motion of Mr. Baldwin to suspend the provisions of the Constitution requiring bills to be read on three several days, the roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Johnson of Sonoma, Langford, Mahler, Palmieri, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Vrooman, and Wright—22.

NOES—Messrs. Cross, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Parkinson, Perry, Saxe, and Whitney—13.

The question being, "Shall this bill be read a second time?"

It was so ordered.

Senate Bill No. 328—An Act to appropriate money to complete the sewerage system of the Asylum for the Insane at Stockton, by opening North Street Canal from said asylum grounds to the San Joaquin River.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Mr. Kellogg moved that Assembly Bill No. 150 be referred to Senator Drum, as a committee of one, with special instructions to amend said bill as follows: amend section three, by striking out, after the word "except," on line four, of printed bill, the words "artillery companies and."

So ordered.

SPECIAL ORDER.

Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—36.

NOES—None.

Title read and approved.

Mr. Reddy moved to suspend the rules, and take up, out of order, Assembly Bill No. 410, and read same first time.

CALL OF THE SENATE.

Mr. Cox moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senator Parker.

The Assistant Sergeant-at-Arms was furnished a list of absentees, and the doors closed.

The Assistant Sergeant-at-Arms appeared, and announced that Senator Baldwin was without, desiring admittance.

On motion, Senator Baldwin was admitted, brought before the bar of the Senate, and, on motion of Mr. Langford, excused.

Mr. Del Valle moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The hour of recess having arrived, the President declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright.

Quorum present.

The question being on the motion of Mr. Reddy to suspend the rules, and take up, out of order, Assembly Bill No. 410, and read same first time.

Pending debate upon the above question, Mr. Vrooman moved to take up Assembly messages, so far as they relate to Senate Bills.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

To enrollment.

Also, Senate Bill No. 68—An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to counterfeited trademarks.

To enrollment.

Also, Senate Bill No. 119—An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same.

To enrollment.

Also, Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred protective associations," approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged, and filed under section two of said Act.

To enrollment.

Also, Senate Bill No. 285—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways.

To enrollment.

Also, Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

To enrollment.

Also, Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities—as amended.

FRANK D. RYAN, Chief Clerk.

Mr. Vrooman moved that the Senate do now concur in amendment of the Assembly to Senate Bill No. 79, as follows: Strike out the word "receiving," in part second, wherever it occurs in conjunction with the word "sewer."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—34.

NOES—Mr. Kellogg—1.

Mr. Vrooman moved that the Senate do now concur in amendment of the Assembly to Senate Bill No. 79, as follows: strike out subdivision ten, in part three, section thirty-four, page twenty-one.

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—35.

NOES—None.

Mr. Vrooman moved that the Senate refuse to adopt the following amendment of the Assembly to Senate Bill No. 79: add a new section, to read:

SEC. 38. This Act shall not apply to cities or towns now incorporated under an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

The question being, "Shall the Senate adopt the above amendment of the Assembly?"

The roll was called, and the Senate refused to concur in the amendment by the following vote:

AYES—None.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—32.

Mr. McClure moved to take up Assembly messages, so far as relates to the following message.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, received from your honorable body a message, in which the Senate notified this body that it had refused to concur in Assembly amendment to Senate Bill No. 79, by adding a new section, number thirty-eight, thereto—the bill not accompanying the same; therefore the Assembly request that the bill may be transmitted to the Assembly for action on the same.

F. D. RYAN, Chief Clerk.

Mr. McClure moved to comply with the request of the Assembly.
So ordered.

Consideration of the motion of Mr. Reddy, to suspend the rules, and take up Assembly Bill No. 410, out of order, and read same first time, resumed.

Pending debate on the above motion, Mr. Lynch moved to suspend the rules, and take up, out of order, Assembly Bill No. 268.

So ordered.

Mr. Lynch moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 268 be declared a case of urgency, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Wallis, Whitney, and Wright—35.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—None.

Title read and approved.

Mr. Knight moved to take up Assembly messages, so far as they relate to Senate Bills.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 327—"An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks."

To enrollment.

Also, Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

To enrollment.

Also, Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution—as amended.

FRANK D. RYAN, Chief Clerk.

Mr. Vrooman moved that the Senate do now concur in all of the amendments of the Assembly to Senate Bill No. 112, as follows:

Add, in third line of title, after the word "ninety-one," the words "eleven hundred and ninety-four."

Strike out, in line twenty-seven, page three, section one thousand one hundred and eighty-three, the words "two hundred," and insert the words "one thousand."

Strike out all of section two, from line twenty-two to line twenty-seven, both inclusive. Amend in lieu thereof the following: "No alteration of any such contract shall affect any lien acquired under the provisions of this chapter."

Insert, after section three, on page five, the following:

SEC. 4. Section one thousand one hundred and ninety-four of the Code of Civil Procedure is hereby amended to read as follows:

Section 1194. In every case in which different liens are asserted against any property, the Court in the judgment must declare the rank of each lien or class of liens, which shall be in the following order, viz.:

1. All persons performing manual labor in, on, or about the same.
2. Persons furnishing materials.
3. Sub-contractors.
4. Original contractors.

And the proceeds of the sale of the property must be applied to each lien or class of liens in the order of its rank: and whenever in the sale of the property subject to the lien there is a deficiency of proceeds, judgment may be docketed for the deficiency in like manner and with like effect as in actions for the foreclosure of mortgages.

Also, number sections four, five, six, seven, and eight, so as to read, sections five, six, seven, eight, and nine, respectively.

Roll called, and the amendments concurred in by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, DeLong, Del Valle, Drum, Filcher, Foster, Harburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Rontier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

THIRD READING OF BILLS.

Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising and subdividing into new sections section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and

thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, and Wright—30.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 74—Entitled "An Act to provide for the future management of the State Asylums for the Insane."

And the same has, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

RECESS.

At five o'clock and fifteen minutes P. M., on motion of Mr. Knight, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate reassembled. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Mr. Johnson of Sonoma moved to suspend the rules, and take up, out of order, Assembly Bill No. 421.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lowe, Mahler, Palmieri, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, and Wallis—26.

NOES—Messrs. McClure, Perry, Steele, Vrooman, and Whitney—5.

Title read and approved.

Mr. Knight moved to suspend the rules, and to take up, out of order, Assembly Bill No. 512.

So ordered.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 512 be considered read the second time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—31.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

Consideration of the motion of Mr. Reddy to suspend the rules, and take up Assembly Bill No. 410, out of order, and read same the first time, resumed.

After debate, the ayes and noes were demanded by Senators Reddy, Spencer of Napa, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Vrooman, Whitney, and Wright—21.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Wallis—17.

Mr. Steele was paired with Mr. Parker. Mr. Steele would have voted "aye;" Mr. Parker would have voted "no."

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Mr. Knight, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 7, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. Mr. Hammond.

Journal of yesterday partially read, and, on motion of Mr. Wright, further reading was dispensed with, and the Journal approved.

Mr. Wright moved to suspend the rules, and take up, out of order, Assembly Bill No. 169, and read same first time.

Mr. Kellogg offered the following as an amendment:

Resolved, That the rules of the Senate be suspended, temporarily, for this day, until the following order of business is completed:

The Secretary of the Senate shall place in a box slips upon which shall be written the name of a Senator, and then draw from said box one slip, whereupon, when the name on said slip is announced, the Senator named may call up, out of order, any bill upon the file, and, if five or more Senators do not object, the bill so named shall be placed upon a list, which list (when the names of all the Senators are called) shall be considered in the order in which it is made up, shall be, by motion made, declared a case of urgency as to each bill thereon, which is not upon its third reading, and the constitutional provision suspended, and a vote had upon passage. No discussion shall be had upon the calling up of the bill, out of order, but the same may be discussed on its final passage; *provided*, that messages from the Assembly, messages from the Governor, and resolutions setting the time for adjournment, may be in order at any time.

Mr. Del Valle offered the following as an amendment to the amendment:

The Secretary of the Senate shall call the roll of the Senate. Each Senator, as his name is called, shall be permitted to take up one bill, out of order, and if five or more Senators do not object, the bill so named shall be placed upon a list, which list shall be considered in the order in which it is made up. No discussion shall be had upon the calling up of the bill, out of order, but the same may be discussed on its final passage; *provided*, that messages from the Governor and Assembly, and resolutions setting the time for adjournment, may be in order at any time.

Mr. Kellogg accepted the amendment.

Mr. Knight moved to amend, as follows:

This resolution may be rescinded at any time by a majority vote.

Mr. Routier moved to lay the resolution on the table.

Ayes and noes demanded by Senators Kellogg, Langford, and Cox.

Roll called, and the motion to lay on the table carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Days, DeLong, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Lowe, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—22.

NOES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, Saxe, Spencer of Napa, and Taylor—16.

Mr. Knight moved a call of the Senate.

Ayes and noes demanded by Senators Knight, Cox, and Creighton.
Roll called, and the motion lost by the following vote:

AYES—Messrs. Cox, Creighton, Dougherty, Drum, Kellogg, Knight, Langford, Reddy, Saxe, Spencer of Napa, Taylor, and Vrooman—12.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cross, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Routier, Spencer of Stanislaus, Steele, Wallis, Whitney, and Wright—26.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 47—Entitled "An Act to prevent the overcrowding of asylums for the insane."

Senate Bill No. 241—"An Act to provide for the commitment of persons convicted of crime to the House of Correction."

Senate Bill No. 137—"An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person."

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

Also the following:

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 317—Entitled "An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom."

Senate Bill No. 190—"An Act to amend an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation."

Senate Bill No. 92—"An Act to amend an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil actions."

Senate Bill No. 282—"An Act to provide an additional asylum for the insane of the State of California."

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved March 15, 1880.

And the same have this day been placed in the hands of the Governor for his approval.

COX, Chairman.

Mr. Wright moved to suspend the rules, and take up, out of order, Assembly Bill No. 169, and read same first time.

So ordered.

Mr. Wright moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 169 be considered read the first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—38.

NOES—Mr. Days—1.

THIRD READING OF BILL.

Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

Read third time, and passed by the following vote :

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Mr. Wright moved to amend the title as follows :

An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and thirty-four, relating to fish and game.

Adopted.

Title read and approved.

Mr. Drum asked leave to withdraw a report on Secretary's desk, relating to Assembly Bill No. 150, as the same was defective.

So ordered.

Mr. Kellogg moved that the special order set for to-day, at twelve o'clock M., the consideration of the contest of the seat of Senator Palmieri, be postponed until Monday, at two o'clock P. M.

So ordered.

Mr. Langford moved to suspend the rules, and take up, out of order, Senate Bill No. 328.

Lost.

Mr. Spencer moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 268.

Also, passed Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

To enrollment.

Also, has concurred in Senate amendments to Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Also, has concurred in Senate amendments numbers two, five, six, seven, and eight, to Assembly Bill No. 89—An Act to establish the "California Home for the care and training of feeble-minded children," and provide for the maintenance of the same.

Also, have amended Senate amendment number three, and concurred in same as amended.

Also, have respectfully refused to concur in Senate amendments numbers one and four, and amendment to title, and respectfully ask the Senate to recede from same.

FRANK D. RYAN, Chief Clerk.

By ED. J. SMITH, Assistant Clerk.

Mr. McClure moved that the Senate do now recede from Senate amendment number one to Assembly Bill No. 89, as follows:

Amend section one, by inserting, after the word "and," the words "diotic and."

Roll called, and the amendment receded from by the following vote:

AYES—Messrs. Chandler, Cox, Fraughton, Cross, Page, DeLong, Dougherty, Drum, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McJannet, Patterson, Parkinson, Perry, Reilly, Rountree, Saxe, Spencer of Napa, Stone, Vrooman, and Whitley—24.
NAYES—Messrs. Beavert, Beavert, Boston, Hubert, Langford, Lynch, Mahler, Spencer of Stanislaus, Taylor, Wallis, and Wright—12.

Mr. McClure moved that the Senate do now concur in the following amendment of the Assembly to Assembly Bill No. 89:

Amend Senate amendment, section seven, line seven, if printed with, strike out "and," after the word "payable," and insert "or."

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Beavert, Chandler, Cox, Fraughton, Cross, Page, DeLong, Dougherty, Drum, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McJannet, Patterson, Parkinson, Perry, Reilly, Rountree, Saxe, Spencer of Napa, Stone, Vrooman, Wallis, and Whitley—24.
NAYES—Messrs. Beavert, Beavert, Boston, Hubert, Langford, Lynch, Mahler, Spencer of Stanislaus, Taylor, and Wright—12.

Mr. Chandler moved that the hour of recess be postponed until all Assembly messages are disposed of.

So ordered.

Mr. McClure moved that the Senate do now recede from Senate amendment number four to Assembly Bill No. 89, as follows:

Amend section eight, line one, by inserting, after the word "and," the word "diotic;" also, strike out, in line two, the words "excepting those incapable of engagement."

Roll called, and the amendment receded from by the following vote:

AYES—Messrs. Beavert, Chandler, Cox, Fraughton, Cross, Page, DeLong, Dougherty, Drum, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McJannet, Patterson, Parkinson, Perry, Reilly, Rountree, Saxe, Spencer of Napa, Stone, Vrooman, Wallis, and Whitley—24.
NAYES—Messrs. Beavert, Boston, Hubert, Langford, Lynch, Mahler, Spencer of Stanislaus, Taylor, and Wright—9.

Mr. McClure moved that the Senate do now recede from Senate amendment to the title to Assembly Bill No. 89, as follows:

Amend title, by inserting, after word "and," the words "diotic and."

Roll called, and the amendment receded from by the following vote:

AYES—Messrs. Chandler, Cox, Fraughton, Cross, Page, DeLong, Dougherty, Drum, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, McJannet, Patterson, Parkinson, Perry, Reilly, Rountree, Saxe, Spencer of Napa, Stone, Vrooman, Wallis, and Whitley—24.
NAYES—Messrs. Beavert, Beavert, Boston, Hubert, Langford, Lynch, Mahler, Spencer of Stanislaus, Taylor, and Wright—9.

MESSAGES FROM THE ASSEMBLY—RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W.

B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, Second Brigade, National Guard of California, pursuant to Special Orders Number Twenty-six, series 1880, issued from General Headquarters.

Ordered placed on file.

Also, Assembly Bill No. 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to letters of administration, to whom, and the order in which they are granted.

Ordered placed on file.

Also, Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California.

FRANK D. RYAN, Chief Clerk.
C. S. LONG, Assistant Clerk.

Ordered placed on special file.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 18—Relative to the direct war tax assessed to and levied upon the several States, under the Act of Congress, approved August 5, 1861.

To enrollment.

Also, have concurred in Senate amendments to Assembly Bill No. 72, numbers three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three.

Also, have refused to concur in Senate amendments numbers one and two—and respectfully ask your honorable body to recede from same.

Also, have concurred in Senate amendments to Assembly Bill No. 489.

Also, have concurred in Senate amendments to Assembly Bill No. 421.

FRANK D. RYAN, Chief Clerk.

Mr. Spencer of Napa moved that the Senate do now recede from Senate amendment number one to Assembly Bill No. 72, as follows:

Amend subdivision eleven, of section one hundred and sixty-four, by striking out "twenty-four hundred," and inserting "three thousand."

Roll called, and the amendment receded from by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—27.

NOES—Messrs. Baldwin, Johnson of Sonoma, Langford, Vrooman, and Whitney—5.

Mr. Spencer of Napa moved that the Senate do now recede from Senate amendment number two, to Assembly Bill No. 72, as follows:

Amend section one hundred and sixty-nine, by inserting, after the word "deputy," in line forty-seven, the following: "with the consent of the Board of Supervisors."

Roll called, and the amendment receded from by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Kelly, Kellogg, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, and Wallis—26.

NOES—Messrs. Baldwin, Johnson of San Bernardino, Johnson of Sonoma, Langford, Spencer of Stanislaus, Taylor, and Whitney—7.

Also the following :

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 22.—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

FRANK D. RYAN, Chief Clerk.

Ordered placed on file.

RECESS.

At one o'clock and four minutes, P. M., on motion of Mr. Vrooman, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 150, begs leave to report the same back without compliance with the order of the Senate, for the reason that the matter required by the order of the Senate to be stricken out does not appear in said bill.

E. F. DRUM.

Mr. Kellogg moved to refer Assembly Bill No. 150 to Senator Lynch, with special instructions to insert, in section three of said Act, after the word "privates," the following:

"Except Gatling gun batteries, which may consist of a maximum number of one hundred and forty-nine officers and privates;" also insert in section twelve of said Act, after the words "and to the Adjutant-General three thousand five hundred dollars per annum, to be expended by him in promoting rifle practice," the following words: "There shall also be paid from the military appropriations of the State, the sum of six hundred dollars for the purchase of light carriages for the four Gatling guns now in possession of the Gatling Battery, A Company, Second Artillery Regiment, Second Brigade, National Guard California, which shall be suitable for hand service, and for the purpose of making said company a more efficient arm of the military service," and strike from said section twelve of said Act the following words: "The Board of Organization and Location shall detach it from the regiment with which it is now connected, and make it an unattached company."

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved by the Senate, the Assembly concurring, That this Legislature do adjourn sine die, on this day, Saturday, March 7, 1885, at eleven o'clock and thirty minutes P. M.

Mr. Kellogg moved the adoption of the resolution.

Mr. Del Valle moved to lay the resolution on the table.

Ayes and noes demanded by Senators Reddy, Del Valle, and Mahler.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Days, Del Valle, Drum, Filcher, Johnson of San Bernardino, Knight, Lowe, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—23.

NOES—Messrs. Boone, Cox, Creighton, Cross, DeLong, Dougherty, Foster, Hurlburt, Kelly, Kellogg, Langford, Lynch, Spencer of Napa, and Taylor—14.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your committee of one, to whom Assembly Bill No. 150 was referred, with special instructions to amend, report the bill back with the amendments as by the order of the Senate required.

JEREMIAH LYNCH.

SPECIAL ORDER.

Consideration of Governor's message relative to appointments.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., March 4, 1885. }

To the honorable the Senate of the State of California:

MR. PRESIDENT: I have appointed J. R. Matthews, of Los Angeles County, Brigadier-General First Brigade National Guard California, vice E. E. Hewitt, resigned.

Also, W. S. Rosecrans, a Regent of the University for the term of sixteen years, vice George Davidson, term expired.

And I respectfully ask the consent of the Senate to the same.

GEORGE STONEMAN, Governor.

Upon the question, "Will the Senate advise and consent to the appointment of J. R. Matthews, of Los Angeles County, as Brigadier-General, First Brigade, National Guard of California, vice E. E. Hewitt resigned?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—36.

NOES—None.

Whereupon, the President announced the appointment of J. R. Matthews as Brigadier-General, First Brigade, National Guard California, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of W. S. Rosecrans, a Regent of the University for the term of sixteen years, vice George Davidson, term expired?"

Roll called, with the following result:

AYES—Messrs. Baldwin, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—Messrs. Beauvais, DeLong, Hurlburt, Saxe, and Steele—5.

Whereupon, the President announced the appointment of W. S. Rosecrans as a Regent of the University, duly confirmed.

Also, the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 5, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Also, Senate Bill No. 326—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and State Senators for the twenty-sixth session of the Legislature.

Also, Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Also, Senate Bill No. 118—An Act for the relief of Robert McKillican.

GEORGE STONEMAN, Governor.

LEAVE OF ABSENCE.

One day's leave of absence was granted Senator Parkinson.

Mr. Perry moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, has receded from its amendment adding a new section, number thirty-eight, to Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

To enrollment.

Also, concurred in Senate amendment to title of Assembly Bill No. 169.

FRANK D. RYAN, Chief Clerk.

RESOLUTION.

By Mr. Cross: Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring, That the Legislature adjourn sine die at midnight to-day.

Mr. Cross moved the adoption of the resolution.

Mr. Del Valle moved to lay the resolution on the table.

Ayes and noes demanded by Senators Reddy, Del Valle, and Mahler.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Chandler, Creighton, Days, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Spencer of Stanislaus, Vrooman, Whitney, and Wright—24.

NOES—Messrs. Boone, Cox, Cross, DeLong, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Steele, Taylor, and Wallace—12.

By Mr. Cross: Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring, That the Legislature adjourn sine die at twelve o'clock, noon, on Monday, March 9, 1885.

Mr. Cross moved the adoption of the resolution.

Mr. Del Valle moved to lay the resolution on the table.

Ayes and noes demanded by Senators Reddy, Drum, and Mahler.

Roll called, with the following result:

AYES—Messrs. Beauvais, Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Stanislaus, Whitney, and Wright—19.

NOES—Messrs. Boone, Chandler, Cox, Cross, Days, DeLong, Hurlburt, Kelly, Kellogg, Langford, Lynch, McClure, Saxe, Spencer of Napa, Steele, Taylor, and Wallis—17.

By Mr. Cross: Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring, That this Legislature adjourn sine die at eleven o'clock P. M. to-day.

Mr. Cross moved the adoption of the resolution.

Lost.

By Mr. Cross: Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring, That the Legislature adjourn sine die at midnight on Monday next.

Mr. Cross moved the adoption of the resolution.

Mr. Knight moved to make the resolution the special order for Monday, at three o'clock P. M.

So ordered.

Mr. Del Valle moved that when the Senate adjourns, it adjourn until Monday, at eleven o'clock A. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 120—Entitled "An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of the People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court for Alameda County."

Senate Bill No. 71—"An Act regulating the height of division fences and partition walls in cities and towns."

Senate Bill No. 68—Entitled "An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, relating to counterfeited trademarks."

Senate Bill No. 30—An Act to amend section eleven hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

Senate Bill No. 285—Entitled "An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways."

Senate Bill No. 106—"An Act to amend section three thousand eight hundred and twenty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property."

Senate Bill No. 327—Entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks."

Senate Bill No. 119—"An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same."

Senate Bill No. 108—Entitled "An Act to amend section nine hundred and thirty-nine of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to appeals in civil cases."

Senate Concurrent Resolution No. 25—Relative to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the States of all sums by them expended in defense of the United States.

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

PETITIONS.

Mr. Steele presented petitions from property owners and taxpayers of the County of Santa Barbara, protesting against the passage of the Substitute for Assembly Bill No. 504.

Also, a resolution from the Common Council of Santa Barbara, relating to a remonstrance to Assembly Bill No. 504.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, submit the following resolution:

Resolved, That the Controller be and he is hereby directed and authorized to draw his warrant in favor of Hobby & Smith, payable out of the Contingent Fund of the Senate, for seven dollars and fifty cents, the same being for repairing filters, etc.

Adopted.

Your committee have also considered the following resolution:

Resolved, That the sum of four dollars per day from January 21, to March 5, 1885, be and the same is hereby allowed to G. B. Cosby, Jr., for pay as Porter of the Committees on Military Affairs, and Counties, County Governments, and Township Organization, and the Controller is hereby authorized to draw his warrant for same out of the appropriation for the contingent expenses of the Senate.

And your committee report as a substitute therefor the following:

Resolved, That the sum of three dollars per day from January 21, to March 5, 1885, be and the same is hereby allowed to G. B. Cosby, Jr., for pay as Porter of the Committees on Military Affairs, and Counties, County Governments, and Township Organization, and the Controller is hereby authorized to draw his warrant for same out of the appropriation for the contingent expenses of the Senate.

LYNCH, Chairman.

Substitute adopted.

RESOLUTIONS.

By Mr. Cox:

Resolved, That Martin Steinmetz be and hereby is allowed the sum of two dollars per day during the session of the Legislature for lighting and caring for the gas lights to Senate Chamber, and the Controller is hereby authorized to draw his warrant on the Contingent Fund of the Senate in payment of the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Drum:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of the clerks and all regularly appointed attachés of all standing committees of the Senate, for the first sixteen days of the session, at the regular per diem, payable out of the Contingent Fund of the Senate, and the State Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Mr. Cox moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

To enrollment.

Also, Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State.

Ordered placed on file.

Also, Senate Bill No. 323—An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums.

FRANK D. RYAN, Chief Clerk.

To enrollment.

REPORT OF STANDING COMMITTEE.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Public Printing have examined into the work and business of the State Printing Office, and find that everything is being well managed. The buildings and the material on hand are properly cared for, and all the old stock is being gradually worked off. We have examined into the management, and find that it has been competently and economically administered. An examination of the expenditures of the preceding administration, as compared with those of the present administration, shows a proportionate saving in favor of the latter of nearly ten per cent. Several innovations have been made by means of which the actual running expenses have been reduced.

We find that the building now used as a State Printing Office has many vacant rooms, some of which are as yet unfinished. These unfinished vacant rooms, including a great portion of the upper story and the basement, can, at a cost of about three thousand dollars, be made to accommodate all the work to be done in publishing the common school text-books. Some of these rooms, however, are now used as an armory by the State militia, and their use for that purpose will necessarily have to be discontinued, for without such rooms there will not be sufficient room accommodations for carrying on the publishing of such books.

Much credit is due J. J. Ayers, the present Superintendent of State Printing, for his economical and business methods of conducting the work of this institution.

J. D. SPENCER, Chairman.

J. A. FILCHER.

GEO. STEELE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred Senate Bill No. 328, have carefully examined the same, and find it correctly engrossed.

FILCHER, Chairman.

SPECIAL FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Read second time, and ordered to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 97—Entitled "An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation."

Senate Bill No. 90—An Act to legalize acknowledgments or certificates in writing required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged and filed under section two of said Act."

Senate Concurrent Resolution No. 26—Relative to a proper adjustment of the accounts of

the different States, Territories and the District of Columbia, with the United States, arising out of the proceedings under the direct tax law of August 5, 1861.

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

At four o'clock and five minutes P. M., Mr. Spencer of Napa moved to adjourn.

Ayes and noes demanded by Senators Spencer of Stanislaus, Reddy, and Spencer of Napa.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, Wallis, and Wright—16.

NOES—Messrs. Beauvais, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Knight, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Vrooman, and Whitney—20.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Read second time, and placed on file for third reading.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Read second time.

Mr. McClure moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 308 be read the third time, and placed upon its passage.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Kellogg, Lowe, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, Whitney, and Wright—26.

NOES—Messrs. Chandler, Cox, Filcher, Johnson of San Bernardino, Knight, Langford, Lynch, Perry, Spencer of Stanislaus, and Steele—10.

Substitute for Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof.

Read second time.

Mr. Lynch moved to amend, as follows: amend section one, line three, of printed bill, by striking out all of the section after the word "large."

Lost.

Mr. Lynch moved to amend as follows: amend section four, on line four, of printed bill, by inserting, after the word "reeling," the following: "and from cocoons raised in the State of California."

Lost.

Mr. Lynch moved to amend as follows: amend section eight, line two, of printed bill, by striking out all of the section after the word "rendered."

Lost.

Mr. Lynch moved to amend section nine as follows: strike out the word "five," on lines three and five, and insert the word "fifteen."

Lost.

Bill ordered placed on file for third reading.

At four o'clock and thirty minutes P. M., Mr. Baldwin moved to adjourn.

Lost.

Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

On motion of Mr. Kellogg, Assembly Bill No. 150 was made special order for Monday, immediately after reading of the Journal.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—36.

NOES—None.

Title read and approved.

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Kellogg, Knight, Lowe, Lynch, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Wallis—26.

NOES—Messrs. Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Mahler, Perry, Spencer of Napa, Whitney, and Wright—11.

Title read and approved.

Mr. Lynch gave notice that, on Monday, March 9, 1885, he should move for a reconsideration of the vote whereby Assembly Bill No. 312 was passed.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy,

Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Whitney—36.

NOES—None.

Title read and approved.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, McClure, Palmieri, Perry, Routier, Spencer of Napa, Steele, Taylor, and Wright—21.

NOES—Messrs. Chandler, Days, Del Valle, Filcher, Foster, Johnson of Sonoma, Lynch, Mahler, Reddy, Saxe, Vrooman, and Whitney—12.

Mr. Kellogg moved to amend the title, by striking out all following the word "Code," and substituting instead the words "in relation to the sale of State school lands."

Title read and approved.

Mr. McClure gave notice that, on Monday, March 9, 1885, he should move for reconsideration of the vote whereby Assembly Bill No. 295 was passed.

LEAVE OF ABSENCE.

Senators Spencer of Stanislaus and Baldwin were granted one day's leave of absence.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Kelly, Kellogg, Knight, Lowe, Lynch, Palmieri, Perry, Reddy, Routier, Taylor, Vrooman, and Whitney—23.

NOES—Messrs. Cross, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Mahler, Saxe, Spencer of Napa, and Steele—9.

Title read and approved.

Hon. Benjamin Knight, President pro tem., in the chair.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read third time, and bill refused passage by the following vote:

AYES—Messrs. Beauvais, Creighton, Days, Drum, Hurlburt, Kellogg, Knight, Lowe, Vrooman, and Whitney—10.

NOES—Messrs. Chandler, Cox, Cross, Del Valle, Dougherty, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, and Wright—21.

Mr. McClure gave notice that on Monday, March 9, 1885, he would move to reconsider the vote whereby Assembly Bill No. 313 was refused passage.

LEAVE OF ABSENCE.

Leave of absence for this evening was granted to Senator Kellogg.

RECESS.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Vrooman, by a division of the Senate—ayes, 20; noes, 2—the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. Hon. Benjamin Knight, President pro tem., in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, and Wright.

Quorum present.

Mr. Steele moved to suspend the rules, and take up, out of order, Assembly Bill No. 504, and read the same first time.

CALL OF THE SENATE.

Mr. Reddy moved a call of the Senate.

Ayes and noes demanded by Senators Reddy, Creighton, and Routier.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Chandler, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, Palmieri, Reddy, Routier, Saxe, Taylor, Vrooman, and Wright—21.

NOES—Messrs. Boone, Cox, Creighton, Kelly, Kellogg, Knight, McClure, Perry, Steele, and Whitney—10.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Foster, Langford, Wright, and Filcher.

Mr. Whitney moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Mr. Steele withdrew his motion.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations, approved March 21, 1872.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—31.

NOES—None.

Title read and approved.

Assembly Bill No. 74—An Act to amend section five hundred and

ninety-nine of the Civil Code of the State of California, relating to corporations.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—34.

NOES—None.

Title read and approved.

Mr. Vrooman gave notice that, on Monday, March 9, 1885, he would move to reconsider the vote whereby Assembly Bill No. 64 was passed.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Lynch, McClure, Palmieri, Perry, Reddy, Routier, and Spencer of Napa—21.

NOES—Messrs. Del Valle, Johnson of San Bernardino, Lowe, Mahler, Saxe, Steele, Vrooman, Whitney, and Wright—9.

Title read and approved.

President Daggett in the chair.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read third time.

Hon. R. F. Del Valle in the chair.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Mr. Days moved that further proceedings under the call be dispensed with.

So ordered.

The question being on the passage of Assembly Bill No. 85, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—27.

NOES—Messrs. Del Valle, Dougherty, Kelly, Lynch, Reddy, and Taylor—6.

Title read and approved.

Assembly Bill No. 32—An Act to amend an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—27.

NOES—Messrs. Johnson of Sonoma, Reddy, and Spencer of Napa—3.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, have had under consideration the following resolution:

WHEREAS, The Governor's message and the appendix thereto—both very voluminous communications—are yet to be journalized, and the office of Journal Clerk has been overcrowded with work since the holding of evening sessions: and whereas, it will require some two weeks after the adjournment of this body to complete the Journal; therefore, be it

Resolved, That the Journal Clerk and assistants be and they are hereby allowed the sum of one hundred and fifty dollars each, payable out of the Contingent Fund of the Senate, for the necessary work after the final adjournment of this body to complete Senate Journal.

And respectfully report the same back to the Senate, and recommend, as a substitute therefor, that the sum of one hundred dollars be allowed to the Journal Clerk and each of his assistants, and the Controller is hereby authorized to draw his warrant on the State Treasurer for the same, payable out of the Contingent Fund of the Senate.

DEL VALLE.
MAHLER.
WALLIS.
LYNCH.

Mr. Del Valle moved that the resolution be referred to the Committee on Attachés, Contingent Expenses, and Mileage.

So ordered.

Also, submit the following:

Resolved, That Lloyd Spencer be allowed a per diem of two dollars, as Page on the floor of the Senate, from January 19 to March 4, inclusive, and that the Controller be and he is hereby authorized and directed to draw his warrant, payable out of Contingent Fund of the Senate, for the same.

LYNCH, Chairman.

Adopted.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch,

Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—28.

NOES—None.

Title read and approved.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lynch, Mahler, McClure, Palmieri, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—24.

NOES—Messrs. Cross, Kellogg, Lowe, Perry, Reddy, and Taylor—6.

Title read and approved.

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the insurance of alias summons in Justices' Courts.

On motion of Mr. Whitney, this bill was passed on file.

Mr. Whitney moved to suspend the rules, and take up, out of order, Assembly Bill No. 252.

So ordered.

Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Read first time.

Mr. Cross moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 252 be declared a case of urgency, considered read second time, and read third time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—29.

NOES—Mr. Perry—1.

THIRD READING OF BILL.

Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—28.

NOES—None.

Title read and approved.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read third time, and passed by the following vote:

AYES—MESSRS. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—27.

NOES—MESSRS. Cox, Kellogg, and Mahler—3.

Title read and approved.

Mr. Chandler gave notice that he would, on Monday, March 9, 1885, move to reconsider the vote whereby Assembly Bills Nos. 47 and 49 were passed.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read third time, and passed by the following vote:

AYES—MESSRS. Beauvais, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—27.

NOES—MESSRS. Boone, Cox, Kellogg, Steele, and Wallis—5.

Title read and approved.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read third time, and passed by the following vote:

AYES—MESSRS. Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Whitney, and Wright—24.

NOES—MESSRS. Del Valle, Foster, McClure, and Steele—4.

Title read and approved.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read third time, and passage refused by the following vote:

AYES—MESSRS. Chandler, Creighton, Dougherty, Johnson of San Bernardino, Kelly, Lynch, McClure, Spencer of Napa, Steele, Taylor, Wallis, and Whitney—12.

NOES—MESSRS. Beauvais, Boone, Cox, Cross, Days, Del Valle, Drum, Foster, Hurlburt, Kellogg, Lowe, Mahler, Palmieri, Perry, Routier, Saxe, and Vrooman—17.

Mr. Vrooman gave notice that, on Monday, March 9, 1885, he would move to reconsider the vote whereby Assembly Bill No. 62 was refused passage.

Assembly Joint Resolution No. 1—Relative to authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer.

Read third time, and passed by the following vote:

AYES—MESSRS. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Lynch, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, and Whitney—27.

NOES—MESSRS. Hurlburt, Mahler, Perry, and Taylor—4.

Title read and approved.

Mr. Days gave notice that, on Monday, March 9, 1885, he would move to reconsider the vote whereby Assembly Bill No. 115 was passed.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read third time, and, on motion of Mr. Perry, made the special order for Monday morning, immediately after reading the Journal.

Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of three Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Del Valle, Dougherty, Drum, Foster, Hurlburt, Kelly, Kellogg, Lowe, Lynch, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Wallis, and Whitney—25.

NOES—Messrs. Days, DeLong, Johnson of San Bernardino, Mahler, McClure, and Vrooman—6.

Title read and approved.

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Mahler, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Whitney, and Wright—27.

NOES—Messrs. Foster and Lynch—2.

Title read and approved.

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, and Wright—28.

NOES—Messrs. Foster and Whitney—2.

Title read and approved.

Mr. Whitney moved to suspend the rules, and take up Assembly Bill No. 327, out of order.

So ordered.

Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Mr. Whitney moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 327 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—30.

NOES—None.

Title read and approved.

Mr. Palmieri moved to suspend the rules, and take up Assembly Bill No. 311.

So ordered.

Mr. Palmieri moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 311 be declared a case of urgency, and considered read second time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—Mr. Spencer of Napa—1.

THIRD READING OF BILL.

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lowe, Lynch, Mahler, McClure, Palmieri, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—31.

NOES—Mr. Spencer of Napa—1.

Mr. Palmieri moved to amend the title as follows:

An Act to authorize the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities and cities and counties of one hundred thousand inhabitants.

Title read and approved.

At eleven o'clock and twenty minutes P. M. Mr. Cox moved to adjourn.

Ayes and noes demanded by Senators Spencer of Napa, Cox, and Drum.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, Dougherty, Drum, Foster, Johnson of Sonoma, Kellogg, Lynch, Mahler, Saxe, Spencer of Napa, and Wallis—15.

NOES—Messrs. Beauvais, Chandler, DeLong, Del Valle, Hurlburt, Johnson of San Bernardino, Kelly, Lowe, McClure, Palmieri, Reddy, Routier, Steele, Taylor, Vrooman, Whitney, and Wright—17.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

Ayes and noes demanded by Senators Drum, Spencer of Napa, and Kellogg.

Roll called, with the following result:

AYES—Messrs. Cox, Creighton, Cross, Days, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Lowe, Mahler, Reddy, Spencer of Napa, Steele, Vrooman, and Wallis—16.

NOES—Messrs. Beauvais, Boone, Chandler, DeLong, Del Valle, Foster, Johnson of Sonoma, Kelly, Lynch, McClure, Palmieri, Routier, Saxe, Taylor, Whitney, and Wright—16.

Whereupon the President announced that the vote was a tie, and that he would exercise his constitutional right of casting the deciding vote, by ordering the Secretary to record his vote "no."

So recorded, and the motion declared lost.

ADJOURNMENT.

At eleven o'clock and twenty-seven minutes P. M., on motion of Mr. Spencer of Napa, the Senate adjourned until Monday, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Monday, March 9, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
Hon. Benjamin Knight, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Rev. C. McKelvey.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading of the Journal was dispensed with, and the Journal approved.

SPECIAL ORDERS.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of

California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Passed on file temporarily.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

President Daggett in the chair.

CALL OF THE SENATE.

Mr. Spencer of Napa moved a call of the Senate.

So ordered.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Spencer of Stanislaus and Parkinson.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright.

The Sergeant-at-Arms appeared and announced that Senator Palmieri was without, desiring admittance.

Mr. Palmieri was admitted, and afterwards excused.

Mr. Kellogg moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The question being on the passage of Assembly Bill No. 153, after debate, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Beauvais, Creighton, Days, Del Valle, Dougherty, Drum, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, and Wallis—24.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Cross, DeLong, Filcher, Langford, McClure, Parker, Steele, Vrooman, and Wright—13.

Title read and approved.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Wallis, and Wright—33.

NOES—Messrs. Filcher and Hurlburt—2.

Mr. Lynch moved to amend the title, as follows:

An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and twenty-eight, two thousand and ninety-three, two thousand and ninety-four, and by repealing section two thousand and twenty-seven, relating to the militia.

Adopted.

Title read and approved.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Johnson of Sonoma moved to suspend the rules, and to take up, out of order, Assembly Bill No. 502, and read same first time.

So ordered.

Mr. Johnson of Sonoma moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 502 be considered read the first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—34.

NOES—Mr. Reddy—1.

THIRD READING OF BILL.

Assembly Bill No. 502—An Act to promote drainage.

Read third time, as far as section ten.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Consideration of Assembly Bill No. 502 resumed.

Third reading commenced at section ten of the bill.

Third reading of bill completed.

Mr. Cross moved to recommit this bill to Senator Johnson of Sonoma, as a committee of one, with special instruction to amend as follows: strike out the words "the water rights needed," in lines three and four, section seven.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: The undersigned, to whom was referred Assembly Bill No. 502, with special instructions, report the same back, amended agreeably to the said instructions.

G. A. JOHNSON.

RECONSIDERATION.

Mr. McClure moved to reconsider the vote whereby Assembly Bill No. 313 was refused passage on Saturday, March 7, 1885.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—31.

NOES—Messrs. Cross, Johnson of Sonoma, and Perry—3.

THIRD READING OF BILL.

Assembly Bill No. 313—An Act to amend an Act entitled “An Act to establish a Code of Civil Procedure,” and for the purpose of determining the heirship and title to the estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—29.

NOES—Messrs. Del Valle, Kelly, Lynch, Perry, Reddy, Routier, Spencer of Napa, and Taylor—8.

Title read and approved.

RECONSIDERATION.

Mr. Kellogg moved to reconsider the vote whereby Assembly Bill No. 295 was passed on Saturday, March 7, 1885.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Days, Del Valle, Filcher, Hurlburt, Mahler, Reddy, Steele, Wallis, and Whitney—9.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, and Wright—27.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Langford moved to suspend the rules, and take up, out of order, Assembly Bill No. 564, and read same first time.

So ordered.

Mr. Langford moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 564 be considered read the first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Reddy, Routier, Saxe, Steele, Taylor, Vrooman, Wallis, and Whitney—31.

NOES—Messrs. Drum and Kelly—2.

Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmeri, Parkinson, Reddy, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright—32.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

WHEREAS, The Governor's message and the appendix thereto—both very voluminous communications—are yet to be journalized, and the office of Journal Clerk has been overcrowded with work since the holding of evening sessions; and whereas, it will require some two weeks after the adjournment of this body to complete the Journal; therefore, be it

Resolved, That the Journal Clerk and assistants be and they are hereby allowed the sum of one hundred and fifty dollars each, payable out of the Contingent Fund of the Senate, for the necessary work after the final adjournment of this body to complete Senate Journal.

Be leave respectfully to report that they have carefully examined the same, and report back to the Senate, and recommend the adoption of the following as a substitute therefor:

Resolved, That the Journal Clerk of the Senate and his assistants be and they are hereby allowed the sum of one hundred dollars each, for extra services, and that the Controller be and he is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Substitute adopted.

Also, the following:

Resolved, That Martin Steinmetz be and hereby is allowed the sum of two dollars per day during the session of the Legislature for lighting and caring for the gas lights to Senate Chamber, and the Controller is hereby authorized to draw his warrant on the Contingent Fund of the Senate in payment of the same.

Have had the same under consideration, and respectfully report back the same, recommending that it do not pass.

Lost.

Also, the following resolution:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of the clerks and all regularly appointed attachés of all standing committees of the Senate, for the first sixteen days of the session, at the regular per diem, payable out of the Contingent Fund of the Senate, and the State Treasurer is directed to pay the same.

Have considered the same, and report it back, with a recommendation that it do not pass.

LYNCH, Chairman.

Lost.

Mr. Kellogg moved to reconsider the vote whereby the last resolution above was lost.

So ordered.

Mr. Kellogg moved to amend, by striking out "sixteen days," and inserting in lieu thereof "ten days."

Amendment adopted.

The question recurring on the adoption of the resolution, the ayes and noes were demanded by Senators Hurlburt, Filcher, and Lowe.

Roll called, and the resolution lost by the following vote :

AYES—Messrs. Boone, Cox, Creighton, Dougherty, Drum, Foster, Kelly, Kellogg, Knight, Palmieri, and Routier—11.

NOES—Messrs. Beauvais, Chandler, Cross, Days, Del Valle, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Lowe, Lynch, Mahler, McClure, Parkinson, Reddy, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, Whitney, and Wright—23.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT : Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled :

Senate Bill No. 112—Entitled "An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, one thousand one hundred and ninety-four, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution."

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Steele moved to suspend the rules, and take up, out of order, Assembly Bill No. 488, and read same first time.

So ordered.

Mr. Steele moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 488 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—35.

NOES—Messrs. Creighton, Drum, and Spencer of Napa—3.

Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Read third time, and passed by the following vote :

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—33.

NOES—Mr. Spencer of Napa—1.

Title read and approved.

Mr. Dougherty moved to suspend the rules, and take up, out of order, Assembly Bill No. 481, and read same first time.

So ordered.

Mr. Dougherty moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three

several days, that Assembly Bill No. 481 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright—35.

NOES—Mr. Reddy—1.

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to public ways and navigable streams.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Whitney, and Wright—36.

NOES—Mr. Reddy—1.

Title read and approved.

RECONSIDERATION.

Mr. Lynch moved to reconsider the vote whereby Assembly Bill No. 312 was passed on Saturday, March 7, 1885.

Ayes and noes demanded by Senators Drum, Knight, and Lynch.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Creighton, Days, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lynch, Mahler, Parkinson, Perry, Spencer of Napa, Steele, Taylor, Whitney, and Wright—20.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cox, Cross, DeLong, Dougherty, Foster, Kellogg, Langford, Lowe, Palmieri, Reddy, Routier, Saxe, Spencer of Stanislaus, and Wallis—17.

SPECIAL ORDER.

Senate Concurrent Resolution—Relating to adjournment sine die.

By Mr. Cross: Senate Concurrent Resolution:

Resolved by the Senate, the Assembly concurring. That the Legislature adjourn sine die at midnight on Monday next.

Mr. Chandler moved to amend, by making the time twelve o'clock noon to-morrow, Tuesday, March 10, 1885.

Amendment accepted.

Mr. Whitney moved to amend, by making the time twelve o'clock midnight, Tuesday, March 10, 1885.

After debate, the ayes and noes were demanded by Senators Vrooman, Reddy, and Parkinson.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Creighton, Days, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Steele, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Cross, DeLong, Dougherty, Kelly, Kellogg, Knight, Langford, Lynch, Parker, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, and Wright—19.

The question recurring upon the adoption of the resolution, as amended, the ayes and noes were demanded by Senators Reddy, Vrooman, and Beauvais.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Lynch, McClure, Parker, Perry, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—23.

NOES—Messrs. Baldwin, Days, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Mahler, Palmieri, Parkinson, Reddy, Routier, Spencer of Stanislaus, and Wright—17.

Mr. Routier moved to suspend the rules, and take up, out of order, Assembly Bill No. 272, and read same first time.

So ordered.

Mr. Routier moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 272 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Lowe, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—31.

NOES—Messrs. Cox, Langford, Mahler, and Taylor—4.

Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Read third time.

Mr. Kellogg moved to refer Assembly Bill No. 272 to Senator Routier, as a committee of one, with special instructions to strike out the word "felony," in section one, line twenty-one, and insert in lieu thereof the word "misdemeanor."

Lost.

The question being on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Lynch, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—Messrs. Cox and Mahler—2.

Title read and approved.

SPECIAL ORDER.

Consideration of the election contest in the matter of E. Gaussail against E. Palmieri, set for to-day, at two o'clock P. M., was, on motion of Mr. Kellogg, made the special order for to-morrow, immediately after reading the Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 182—Entitled "An Act to amend section eight of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880."

Senate Concurrent Resolution No. 18—Relative to the direct war tax assessed to and levied upon the several States under the Act of Congress, approved August 5, 1861.

Senate Bill No. 22—Entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use."

Senate Bill No. 323—"An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums."

Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

And the same have, this day, been placed in the hands of the Governor for his approval.

COX, Chairman.

INTRODUCTION OF A BILL—(BY UNANIMOUS CONSENT).

By Mr. Cross: Senate Bill No. 330—An Act to provide for the levy of the tax for State purposes for the thirty-seventh and thirty-eighth fiscal years.

Read first time, and, on motion of Mr. Cross, was made the special order for to-morrow morning, to follow the special order already set.

Mr. Days moved to suspend the rules, and take up, out of order, Assembly Bill No. 478, and read same first time.

So ordered.

Mr. Days moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 478 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, and Whitney—31.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Elcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, and Whitney—30.

NOES—None.

Title read and approved.

Mr. McClure moved to suspend the rules, and take up, out of order, Assembly Concurrent Resolution No. 8.

So ordered.

Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned railroad land grants.

Ayes and noes demanded on the adoption of the resolution, by Senators Reddy, Del Valle, and Spencer of Stanislaus.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Vrooman, Wallis, Whitney, and Wright—28.

NOES—Messrs. Baldwin, Chandler, Del Valle, Filcher, Foster, Johnson of Sonoma, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Steele—13.

Title read and approved.

THIRD READING OF BILL.

Assembly Bill No. 502—An Act to promote drainage.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—37.

NOES—Mr. Reddy—1.

Title read and approved.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Knight moved to suspend the rules, and to take up, out of order, Assembly Bill No. 362, and read same first time.

So ordered.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 362 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—34.

NOES—None.

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Whitney—32.

NOES—None.

Title read and approved.

RECONSIDERATION.

Mr. Vrooman moved to reconsider the vote whereby Assembly Bill No. 64 was passed on Saturday, March 7, 1885.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Spencer of Stanislaus, Steele, Vrooman, Wallis, Whitney, and Wright—35.

NOES—Mr. Boone—1.

Mr. Vrooman moved to indefinitely postpone the further consideration of Assembly Bill No. 64.

Carried.

RECONSIDERATION.

Mr. Vrooman moved to reconsider the vote whereby Assembly Bill No. 62 was refused passage on March 7, 1885.

Roll called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Days, Dougherty, Johnson of San Bernardino, Kelly, Langford, Lynch, Mahler, McClure, Parkinson, Spencer of Napa, Spencer of Stanislaus, Steele, and Vrooman—18.

NOES—Messrs. Creighton, Cross, Del Valle, Drum, Filcher, Foster, Hurlburt, Knight, Lowe, Perry, Reddy, Routier, Saxe, Taylor, and Whitney—15.

Mr. Vrooman appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

The ayes and noes were demanded by Senators Vrooman, Langford, and Baldwin.

Roll called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Dougherty, Drum, Foster, Hurlburt, Kelly, Kellogg, Knight, Lowe, Lynch, Mahler, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, and Wallis—22.

NOES—Messrs. Baldwin, Beauvais, Chandler, Days, DeLong, Del Valle, Filcher, Johnson of San Bernardino, McClure, Spencer of Napa, Taylor, Vrooman, and Whitney—13.

ADJOURNMENT.

At six o'clock P. M., Mr. Lynch moved to adjourn.

Mr. Routier moved to amend, by taking a recess until eight o'clock P. M.

Lost.

The question recurring on the motion of Mr. Lynch to adjourn, the ayes and noes were demanded by Senators Reddy, Spencer of Stanislaus, and DeLong.

Roll called, with the following result:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Kelly, Kellogg, Langford, Lynch, McClure, Perry, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wallis—20.

NOES—Messrs. Baldwin, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Knight, Lowe, Mahler, Palmieri, Parkinson, Reddy, Routier, Steele, Whitney, and Wright—18.

Whereupon the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 10, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment.
President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read, and, on motion of Mr. Johnson of San Bernardino, further reading was dispensed with, and the Journal approved.

SPECIAL ORDER.

Consideration of the election contest in the matter of E. Gaussail against E. Palmieri, set for to-day, immediately after reading the Journal, was, on motion of Mr. Kellogg, made the special order for this afternoon, at two o'clock.

RESOLUTION—(OUT OF ORDER).

By Mr. Kellogg:

Resolved, That when the Senate adjourns for the day, it adjourns to meet on Friday next, March 13, 1885, at three o'clock P. M.

Mr. Kellogg moved that the consideration of the above resolution be made the special order for this afternoon, at two o'clock and thirty minutes.

Mr. Del Valle moved to lay the resolution on the table.

Ayes and noes demanded by Senators Del Valle, Spencer of Stanislaus, and Johnson of San Bernardino.

Roll called, and the resolution laid on the table by the following vote:

AYES—Messrs. Beauvais, Chandler, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Taylor, Whitney, and Wright—22.

NOES—Messrs. Baldwin, Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Knight, Langford, Parker, Saxe, Spencer of Napa, Vrooman, and Wallis—18.

Mr. Beauvais moved to suspend the rules, and take up, out of order, Assembly Bill No. 425, and read same first time.

So ordered.

At eleven o'clock and fifteen minutes A. M., Mr. Cross moved to take a recess until two o'clock P. M.

Ayes and noes demanded by Senators Kellogg, Drum, and Spencer of Napa.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, Vrooman, and Wallis—14.

NOES—Messrs. Baldwin, Beauvais, Chandler, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Whitney, and Wright—26.

PRIVILEGE QUESTION.

Mr. Kellogg arose to a privilege question, stating that the Secretary was, on Thursday and Friday last, instructed to place on the file all Assembly Bills, in their order, on the third, second, and first reading files, and asked why the file of Tuesday morning was not made up as it would have appeared had not this order been made.

The President decided that when a bill, or any number of bills, were taken up out of order, that they take precedence over other bills on the file, and that the action of the Senate in making the order for each day was confined to the consideration of the measures ordered, and it would require a two thirds vote to place other bills on the file ahead of those so placed by the action of the Senate. He would decide that the file is properly made up.

At eleven o'clock and forty minutes A. M., Mr. Kellogg moved to take a recess until two o'clock and fifteen minutes P. M.

Ayes and noes demanded by Senators Cross, Cox, and Creighton. Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Wallis—13.

NOES—Messrs. Baldwin, Beauvais, Chandler, Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Vrooman, Whitney, and Wright—27.

SPECIAL ORDER.

Senate Bill No. 330—An Act to provide for the levy of a tax for State purposes for the thirty-seventh and thirty-eighth fiscal years.

Mr. Reddy moved to make Senate Bill No. 330 the special order for this afternoon at three o'clock.

Withdrawn.

Mr. Knight moved that Senate Bill No. 330 be referred to the Committee on Finance, to report back at two o'clock P. M. to-day.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

Quorum present.

LEAVE OF ABSENCE.

Mr. Whitney was granted two days' leave of absence, on account of sickness.

SPECIAL ORDER.

Consideration of the election contest in the matter of E. Gaussail against E. Palmieri.

Mr. Kellogg moved that the above special order be postponed until after the special file is concluded.

Ayes and noes demanded by Senators Kellogg, Spencer of Napa, and Cox.

Mr. Reddy moved a call of the Senate.

Lost.

Mr. Wright moved to take up Assembly messages, so far as they relate to Senate Bill No. 251.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

FRANK D. RYAN, Chief Clerk.

Mr. Kellogg moved that the Senate do now concur in the amendment of the Assembly to Senate Bill No. 251.

Roll called, and the amendment concurred in by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmeri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—36.

NOES—None.

Mr. Taylor moved to take up Assembly messages, so far as they relate to Assembly Bill No. 403.

Ayes and noes demanded by Senators Kellogg, Foster, and Johnson of San Bernardino.

CALL OF THE SENATE.

Mr. Taylor moved a call of the Senate.

Ayes and noes demanded by Senators Spencer of Napa, Reddy, and Lynch.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Kellogg, Knight, Lynch, McClure, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—24.

NOES—Messrs. Chandler, Del Valle, Filcher, Foster, Johnson of Sonoma, Kelly, Langford, Lowe, Mahler, Palmieri, Reddy, and Spencer of Stanislaus—12.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma,

Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright.

LEAVE OF ABSENCE.

Senator Parker was granted one day's leave of absence.

Mr. Filcher moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The question recurring on the motion of Mr. Taylor to take up Assembly messages, so far as they relate to Assembly Bill No. 403.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Langford, Lynch, McClure, Routier, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—20.

NOES—Messrs. Chandler, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Mahler, Palmieri, Parkinson, Perry, Reddy, Saxe, and Spencer of Stanislaus—17.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Committee of Conference on Assembly Bill No. 403, having failed to agree, the Assembly again most respectfully ask your honorable body to recede from the amendments made by the Senate. The House herewith begs leave to return Assembly Bill No. 403—An Act to establish a branch State Normal School, in Shasta County, and to maintain the same—to your honorable body for further action.

FRANK D. RYAN, Chief Clerk.
By AARON SMITH, Assistant Clerk.

Mr. Taylor moved that the Senate do now recede from its amendments to Assembly Bill No. 403.

Roll called, and the Senate refused to recede by the following vote:

AYES—Messrs. Baldwin, Boone, Cox, Cross, Dougherty, Drum, Kelly, Lynch, McClure, Perry, Routier, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—16.

NOES—Messrs. Chandler, Creighton, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Mahler, Palmieri, Parkinson, Reddy, Saxe, and Spencer of Stanislaus—18.

Senator Beauvais was paired with Senator Parker. Senator Beauvais would have voted "no;" Senator Parker would have voted "aye."

Senator Days was paired with Senator Whitney. Senator Days would have voted "no."

Mr. McClure moved to take up Assembly messages, so far as they relate to Assembly Bill No. 578.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 578—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

FRANK D. RYAN, Chief Clerk.

Mr. McClure moved that the rules be suspended, and this bill be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 578—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Read first time.

Mr. McClure moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 578 be considered read second time, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, and Wright—32.

NOES—Messrs. Del Valle, Lynch, Spencer of Stanislaus, and Taylor—4.

THIRD READING OF BILL.

Assembly Bill No. 578—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Steele, Vrooman, Wallis, and Wright—32.

NOES—Messrs. Spencer of Stanislaus and Taylor—2.

Title read and approved.

Mr. Knight moved to take up Assembly messages, so far as they relate to Assembly Bill No. 577.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 577—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly for the twenty-sixth session.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved that the rules be suspended, and this bill be read first time.

So ordered.

Assembly Bill No. 577—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly for the twenty-sixth session of the Legislature.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 577 be considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma,

Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Vrooman, Wallis, and Wright—34.
 NOES—Messrs. Parkinson and Taylor—2.

THIRD READING OF BILL.

Assembly Bill No. 577—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly, for the twenty-sixth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—32.

NOES—Messrs. Parkinson and Spencer of Stanislaus—2.

Title read and approved.

Mr. Reddy moved to suspend the rules, and take up, out of order, Assembly Bill No. 410, and read same first time.

CALL OF THE SENATE.

Mr. Reddy moved a call of the Senate.

Ayes and noes demanded by Senators Drum, Spencer of Napa, and Cox.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Langford, Mahler, McClure, Saxe, Spencer of Napa, Taylor, Vrooman, and Wallis—19.

NOES—Messrs. Beauvais, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Lowe, Lynch, Palmieri, Parkinson, Perry, Reddy, Spencer of Stanislaus, Steele, and Wright—18.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright.

Mr. Cross moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The question recurring on the motion of Mr. Reddy to suspend the rules, and take up, out of order, Assembly Bill No. 410, the ayes and noes were demanded by Senators Reddy, Taylor, and Mahler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Days, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Vrooman, and Wright—22.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Wallis—16.

Mr. Kellogg called for the special order, the consideration of the election contest in the matter of E. Gaussail against E. Palmieri.

Mr. Cross moved to indefinitely postpone the consideration of the above special order.

Ayes and noes demanded by Senators Perry, Kellogg, and Filcher.
Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Parkinson, Perry, Reddy, Routier, Saxe, Steele, Vrooman, Wallis, and Wright—21.

NOES—Messrs. Baldwin, Cox, Creighton, Del Valle, Drum, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, Spencer of Napa, and Spencer of Stanislaus—13.

Mr. Kellogg moved to suspend the rules, and take up, out of order, Assembly Bill No. 425, and read same first time.

So ordered.

Mr. Beauvais moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 425 be considered read the first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Lynch, Mahler, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—33.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Langford, Lynch, Mahler, McClure, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—30.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Filcher:

WHEREAS, The fund heretofore created for the payment of the per diem of the officers and clerks of the Senate has been exhausted: and whereas, there are sufficient moneys in the Contingent Fund of the Senate to pay said per diem; therefore, be it

Resolved, That the Controller be and he is hereby empowered to draw his warrant against said Contingent Fund for the several sums that are now or hereafter may be required to pay the per diem aforesaid.

Adopted.

Mr. Mahler moved that the rules be suspended, and that Assembly Bill No. 315 be read first time.

So ordered.

Mr. Mahler moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 315 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—35.

NOES—None.

THIRD READING OF BILL.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled “An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands,” approved March 2, 1867, approved March 13, 1868.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Perry, Reddy, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wallis—33.

NOES—None.

Title read and approved.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Chandler moved to suspend the rules, and to take up, out of order, Assembly Bill No. 258, and read same first time.

So ordered.

Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities.

Mr. Chandler moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 258 be declared a case of urgency, and considered read first and second times, and placed upon its passage.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, DeLong, Filcher, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, McClure, Palmieri, Perry, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, and Wright—21.

NOES—Messrs. Cross, Days, Dougherty, Kelly, Kellogg, Knight, Lowe, Reddy, Taylor, and Wallis—10.

Mr. Knight moved to take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, March 9, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 166—Entitled “An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.”

Also, Senate Bill No. 176—Entitled “An Act concerning municipal corporations.”

Also, Senate Bill No. 316—Entitled “An Act to amend section five hundred and thirty-four

of the Political Code, relating to the salary of the Superintendent of State Printing, and to appropriate money therefor."

Also, Senate Bill No. 47—Entitled "An Act to prevent the overcrowding of asylums for the insane."

Also, Senate Bill No. 241—Entitled "An Act to provide for the commitment of persons convicted of crime to the House of Correction."

Also, Senate Bill No. 74—Entitled "An Act to provide for the future management of the State Asylums for the Insane."

Also, Senate Bill No. 282—Entitled "An Act to provide an additional asylum for the insane of the State of California."

Also, Senate Bill No. 317—Entitled "An Act authorizing the Commissioners of any public park in the State, and especially the Park Commissioners of Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom."

Also, Senate Bill No. 154—Entitled "An Act to amend an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880."

Also, Senate Bill No. 97—Entitled "An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation."

Also, Senate Bill No. 71—Entitled "An Act regulating the height of division fences and partition walls in cities and towns."

Also, Senate Bill No. 119—Entitled "An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of food and drugs, to prevent the adulteration of the same."

Also, Senate Bill No. 327—Entitled "An Act to authorize corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks."

GEORGE STONEMAN, Governor.

Also, the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 10, 1885. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

Also, Senate Bill No. 68—An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to counterfeited trademarks.

Also, Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred protective associations," approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged, and filed under section two of said Act.

Also, Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property.

Also, Senate Bill No. 120—An Act to appropriate money to pay the claim of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court for Alameda County.

Also, Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death, and granting burial permits for deceased persons.

GEORGE STONEMAN, Governor.

Mr. Knight moved to take up Assembly messages.
So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meeting of the Board of Trustees of the State Normal School.

To the file.

Also, Assembly Bill No. 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

To the file.

Also, Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meetings of the Board.

To the file.

Also, concurred in Senate amendment to Assembly Bill No. 152—Concurred in Senate amendment number one, and refused to concur in amendments numbers two, three, four, five, and six—and respectfully ask your honorable body to recede from the same.

FRANK D. RYAN, Chief Clerk.

Mr. Kellogg moved that the Senate do now refuse to recede from the following amendments of the Senate to Assembly Bill No. 152:

AMENDMENT NUMBER TWO.

Amend subdivision two of said Act, by inserting the following after the words "including therein," "one piano, or other musical instrument, not exceeding in value five hundred dollars."

AMENDMENT NUMBER THREE.

Amend subdivision three of said Act, by striking out the word "necessary," appearing therein between the words "the" and "farming."

AMENDMENT NUMBER FOUR.

Amend subdivision three of said Act, by striking out the words "not to exceed in value one thousand dollars," appearing therein between the words "debtor" and "oxen."

AMENDMENT NUMBER FIVE.

Amend subdivision eight of said Act, by inserting, after the word "attachment," where the same appears in said subdivision for the first time, the following: "not exceeding one hundred dollars."

AMENDMENT NUMBER SIX.

Amend said Act, by adding two new subdivisions thereto, to appear therein after subdivision fourteen, and to be known and numbered fifteen and sixteen, and to read as follows:

15. Materials used in his trade, and articles produced in whole or in part by his own labor, not exceeding two hundred dollars in value, belonging to any mechanic or artisan carrying on his trade at a fixed place of business.

16. Stock or shares in any private ditch or a water right in any manner acquired by a land owner for the purpose of securing a necessary and reasonable supply for the irrigation of his homestead, except in connection with and appurtenant to said homestead. This exemption shall prevail to the extent of securing sufficient water for the ordinary and reasonable use of said homestead, and no more, and it shall not extend to actions for the purchase price of the stock, shares, or water right.

Roll called, and the Senate refused to recede from its amendments by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Drum, Filcher, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, Palmieri, Reddy, Routier, Saxe, Spencer of Napa, and Steele—25.

NOES—Messrs. Hurlburt, McClure, Parkinson, Spencer of Stanislaus, Taylor, and Wright—6.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to pass Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Also, have concurred in Senate amendments to Assembly Bills Nos. 67, 32, 311, and 312.

Also, passed Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for offices thereof.

To enrollment.

Also, adopted Assembly Concurrent Resolution No. 24—Relative to tax money in hands of Attorney-General.

To the file.

Also, refused to pass Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and twelve, one thousand six hundred and thirteen, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, and one thousand eight hundred and seventy-six of the Political Code, to add a new section, to be known as section one thousand five hundred and thirty-four of the Political Code, and to repeal sections one thousand six hundred and eighteen and one thousand seven hundred and ninety-two of the Political Code, relating to education and public schools.

Also, concurred in Senate amendments to Assembly Bills Nos. 295, 73, 74, and 150.

FRANK D. RYAN, Chief Clerk.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 579—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-sixth fiscal year.

FRANK D. RYAN, Chief Clerk.

Mr. Knight moved to suspend the rules, and take up Assembly Bill No. 579.

So ordered.

Mr. Knight moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 579 be considered read the first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Palmieri, Parkinson, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wright—29.

NOES—Mr. Lynch—1.

THIRD READING OF BILL.

Assembly Bill No. 579—An Act making an appropriation for the deficiency in the appropriation for the official advertising for the thirty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Hurlburt, Kelly, Kellogg, Knight, Langford, Lowe, Mahler, McClure, Parkinson, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, and Wright—28.

NOES—Mr. Lynch—1.

Title read and approved.

RECESS.

At five o'clock and eleven minutes P. M., on motion of Mr. Spencer of Napa, the Senate took a recess until eight o'clock P. M.

REASSEMBLED.

At eight o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright—38.

Quorum present.

Mr. Hurlburt moved to suspend the rules, and take up, out of order, Assembly Bill No. 225, and read the same first time.

Lost.

Mr. Del Valle moved to suspend the rules, and take up, out of order, Assembly Bill No. 33, and read same second time.

Ayes and noes demanded by Senators Kellogg, Wallis, and Langford.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Days, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Knight, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Reddy, and Spencer of Stanislaus—18.

NOES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Dougherty, Drum, Kellogg, Langford, Routier, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, Wallis, and Wright—18.

Mr. Saxe moved to suspend the rules, and take up, out of order, Assembly Bill No. 561, and read same third time.

Ayes and noes demanded by Senators Taylor, Foster, and Boone.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Filcher, Hurlburt, Johnson of Sonoma, Knight, Lowe, Palmieri, Parkinson, Perry, Routier, Saxe, Taylor, Vrooman, Wallis, and Wright—19.

NOES—Messrs. Cox, Creighton, Del Valle, Dougherty, Drum, Foster, Johnson of San Bernardino, Kelly, Kellogg, Langford, McClure, Reddy, Spencer of Napa, and Spencer of Stanislaus—14.

Mr. Taylor moved to suspend the rules, and take up, out of order, Assembly Bill No. 42, and read same first time.

Mr. Kellogg moved to adjourn until Friday, March 13, 1885, at three o'clock P. M.

Ayes and noes demanded by Senators Cross, Foster, and Beauvais.

CALL OF THE SENATE.

Mr. Spencer of Napa moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma,

Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright.

Mr. McClure moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The question recurring on the motion of Mr. Kellogg, to adjourn until Friday next, at three o'clock p. m., the roll was called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cross, Days, DeLong, Kelly, Kellogg, Langford, Saxe, Taylor, and Vrooman—10.

NOES—Messrs. Baldwin, Beauvais, Chandler, Cox, Creighton, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Steele, Wallis, and Wright—28.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 10, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 251—Entitled "An Act to amend an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883, relative to the powers of Boards of Trustees of cities of the sixth class."

And the same has been placed in the hands of the Governor for his approval.

COX, Chairman.

At nine o'clock and thirty-eight minutes p. m., Mr. Cross moved to adjourn.

Ayes and noes demanded by Senators Cross, Reddy, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Vrooman—16.

NOES—Messrs. Baldwin, Beauvais, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Wallis, and Wright—21.

At nine o'clock and forty minutes p. m., Mr. Cross moved to adjourn until to-morrow, at two o'clock p. m.

Ayes and noes demanded by Senators Taylor, Reddy, and Cox.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Vrooman—16.

NOES—Messrs. Baldwin, Beauvais, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Wallis, and Wright—22.

At nine o'clock and forty-two minutes p. m., Mr. Cross moved to take a recess until eleven o'clock p. m.

Ayes and noes demanded by Senators Boone, Cross, and Spencer of Napa.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, and Vrooman—14.

NOES—Messrs. Baldwin, Beauvais, Chandler, DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Wallis, and Wright—23.

At nine o'clock and fifty minutes P. M., Mr. Kellogg moved to take a recess until eleven o'clock and forty-five minutes P. M.

Ayes and noes demanded by Senators Reddy, Spencer of Stanislaus, and Del Valle.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Steele, Vrooman, and Wallis—16.

NOES—Messrs. Baldwin, Beauvais, Chandler, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Taylor, and Wright—20.

At nine o'clock and fifty-two minutes P. M., Mr. Vrooman moved to take a recess until eleven o'clock and fifty minutes P. M.

Ayes and noes demanded by Senators McClure, Del Valle, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Steele, Taylor, Vrooman, and Wallis—17.

NOES—Messrs. Baldwin, Beauvais, Chandler, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, and Wright—19.

At nine o'clock and fifty-five minutes P. M., Mr. Spencer of Napa moved to take a recess until eleven o'clock and thirty minutes P. M.

Ayes and noes demanded by Senators Drum, Reddy, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, Vrooman, and Wallis—16.

NOES—Messrs. Baldwin, Beauvais, Chandler, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Knight, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, and Wright—22.

At ten o'clock P. M., Mr. Drum moved to take a recess until eleven o'clock and forty minutes P. M.

Ayes and noes demanded by Senators McClure, DeLong, and Chandler.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Cox, Creighton, Cross, Days, Dougherty, Drum, Hurlburt, Kelly, Kellogg, Perry, Reddy, Saxe, Spencer of Napa, Taylor, Wallis, and Wright—17.

NOES—Messrs. Baldwin, Beauvais, Chandler, DeLong, Del Valle, Filcher, Foster, Johnson of San Bernardino, Johnson of Sonoma, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Routier, Spencer of Stanislaus, Steele, and Vrooman—21.

RESOLUTION.

By Mr. Kellogg:

Resolved, That the Assembly be respectfully requested to return to the Senate the concurrent resolution providing for an adjournment sine die on Tuesday night, March 10, 1885.

Mr. Kellogg moved the adoption of the resolution.

Ayes and noes demanded by Senators Vrooman, Days, and Johnson of San Bernardino.

Roll called; and the resolution lost by the following vote:

AYES—Messrs. Cox, Creighton, Days, Del Valle, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, Mahler, Palmieri, Saxe, and Vrooman—13.

NOES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cross, DeLong, Dougherty, Drum, Filcher, Foster, Johnson of Sonoma, Knight, Langford, Lynch, Parkinson, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, Taylor, Wallis, and Wright—22.

At ten o'clock and ten minutes P. M., Mr. Spencer of Napa moved to take a recess until eleven o'clock and fifty-five minutes P. M.

Carried.

REASSEMBLED.

At eleven o'clock and fifty-five minutes P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Wright.

Quorum present.

At eleven o'clock and fifty-six minutes P. M., Mr. Spencer of Napa moved to adjourn until to-morrow, at two o'clock P. M.

Ayes and noes demanded by Senators Dougherty, Drum, and Spencer of Stanislaus.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Kelly, Kellogg, Langford, Saxe, Spencer of Napa, Taylor, Vrooman, and Wallis—17.

NOES—Messrs. Beauvais, Del Valle, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, and Wright—18.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Senators Knight and Steele.

Mr. Kellogg moved a call of the Senate.

Ayes and noes demanded by Senators Taylor, Vrooman, and Kellogg.

ADJOURNMENT.

Pending roll call, at twelve o'clock midnight, the President declared the Senate adjourned, the legislative day having expired.

IN SENATE.

SENATE CHAMBER, }
Wednesday, March 11, 1885. }

The Senate met at eleven o'clock A. M., pursuant to adjournment. President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, and Wright.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday partially read.

Mr. Wallis moved that further reading of the Journal be dispensed with.

Lost.

Hon. R. F. Del Valle in the chair.

Journal further read.

Mr. Filcher moved that further reading of the Journal be dispensed with.

Ayes and noes demanded by Senators Reddy, Routier, and Lowe.

Roll called, and the motion lost by the following vote:

AYES—Messrs. DeLong, Del Valle, Filcher, Foster, Hurlburt, Johnson of Sonoma, Kellogg, Lowe, Lynch, Palmieri, Parkinson, Perry, Reddy, Routier, Spencer of Stanislaus, Steele, Wallis, and Wright—18.

NOES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Days, Dougherty, Johnson of San Bernardino, Kelly, Langford, Mahler, Saxe, Spencer of Napa, and Taylor—14.

Journal further read.

President Daggett in the chair.

Reading of the Journal concluded, and the Journal approved.

RECESS.

The hour of recess having arrived, the President declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Wright.

Quorum present.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Wallis moved to suspend the rules, and take up, out of order, Assembly Bill No. 308, and read same third time.

Ayes and noes demanded by Senators Taylor, Wallis, and Hurlburt.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, Spencer of Stanislaus, Vrooman, Wallis, and Wright—29.

NOES—Messrs. Kelly, Perry, Spencer of Napa, and Taylor—4.

THIRD READING OF BILL.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Foster, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Wright—29.

NOES—Messrs. Filcher, Hurlburt, Johnson of San Bernardino, and Lynch—4.

Title read and approved.

QUESTION OF PRIVILEGE.

Mr. Perry arose to a question of privilege, and stated that in the San Francisco Chronicle of March 11, 1885, his name appeared amongst those who had steadily opposed the irrigation question. He further stated that the record showed differently, and he was content to stand by that record.

Mr. Filcher moved to suspend the rules, and take up, out of order, Senate Bill No. 101, and read same third time.

Ayes and noes demanded by Senators Del Valle, Reddy, and Kellogg.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Cross, Days, DeLong, Dougherty, Filcher, Foster, Johnson of Sonoma, Kellogg, McClure, Palmieri, Parkinson, Saxe, Vrooman, Wallis, and Wright—19.

NOES—Messrs. Baldwin, Creighton, Del Valle, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Lynch, Perry, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor—14.

RESOLUTION.

By Mr. Kellogg:

WHEREAS, During the present session of the Legislature, the Senate has been in session, during a period of several weeks, from eleven o'clock A. M. to eleven o'clock P. M., thus entailing extra work, amounting to sixteen hours, upon the Porters, Pages, Watchmen, Gatekeepers, Mailcarrier, and the Mailing Clerk;

Resolved, That the Pages, Porters, Watchmen, Gatekeepers, Mailcarrier, and the Mailing Clerk, be and they are hereby allowed one dollar per day pay for extra services for the session, and the Controller is hereby authorized and directed to draw his warrants in the sum of sixty dollars for each of the above enumerated employés, payable out of the Contingent Fund of the Senate.

Mr. Kellogg moved the adoption of the resolution.

Mr. Filcher moved to refer the resolution to the Committee on Attachés, Contingent Expenses, and Mileage.

Lost.

Hon. R. F. Del Valle in the chair.

The question recurring on the adoption of the resolution, the ayes and noes were demanded by Senators Filcher, Johnson of San Bernardino, and Wallis.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Beauvais, Chandler, Cox, Creighton, Cross, DeLong, Dougherty, Drum, Foster, Hurlburt, Kelly, Kellogg, Langford, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—24.

NOES—Messrs. Baldwin, Days, Del Valle, Filcher, Johnson of San Bernardino, Lowe, Lynch, and McClure—8.

President Daggett in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1885.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 134—Entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof."

And the same is now in the hands of the Governor for his approval.

COX, Chairman.

Mr. Spencer of Napa moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1885.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 25, as follows:

Resolved by the Assembly, the Senate concurring. That this Legislature do adjourn sine die on Wednesday, March eleventh, eighteen hundred and eighty-five, at five o'clock P. M.

FRANK D. RYAN, Chief Clerk.

By E. J. SMITH, Assistant Clerk.

Mr. Spencer moved the adoption of the resolution.
Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Taylor, and Wright—34.
NOES—Mr. Vrooman—1.

Mr. Parkinson presented a resolution, and asked to have it read for information.

So ordered.

Mr. Parkinson moved that the rules be suspended, and that the resolution be taken up.

Ayes and noes demanded by Senators Lynch, Routier, and Del Valle.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cross, Days, DeLong, Dougherty, Foster, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Langford, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—25.
NOES—Messrs. Creighton, Del Valle, Filcher, Johnson of Sonoma, Lynch, and Mahler—6.

RESOLUTION.

By Mr. Parkinson:

WHEREAS, The report of the Committee of this Senate on State Prisons and Prison Buildings, for the twenty-fifth session of the California Legislature, contains matter, not only aspersing the official conduct of Jacob H. Neff, William F. McNutt, A. H. Chapman, Wallace Everson, and J. W. Scheil, Directors, and Joseph Ames, Warden of the State Prison, but impugning their personal integrity; therefore,

Resolved, That it is the opinion of this Senate that said Directors and Warden be not only exonerated from such censure, but that the matter in said report containing such aspersions upon their administration of their trusts as public officers, and their integrity as men, be and the same is hereby expunged from the Journals of the Senate.

Mr. Parkinson moved the adoption of the resolution.

After debate, the ayes and noes were demanded by Senators Days, Kellogg, and Spencer of Napa.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Drum, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Langford, Lowe, McClure, Palmieri, Parkinson, Perry, Routier, Saxe, Taylor, Vrooman, Wallis, and Wright—25.

NOES—Messrs. Cox, Del Valle, Dougherty, Filcher, Foster, Lynch, Mahler, and Spencer of Napa—8.

Mr. Johnson of Sonoma was paired with Mr. Steele. Mr. Johnson would have voted "no;" Mr. Steele would have voted "aye."

Mr. Reddy was excused from voting.

Mr. Spencer of Stanislaus was excused from voting.

Mr. McClure moved that the Chair appoint a committee of three to wait on the Governor and inquire if he has any further business to transmit to the Senate.

The Chair appointed as such committee Senators McClure, Spencer of Napa, and Cross.

Mr. Reddy moved that the report of the Committee on State Prisons and Prison Buildings be adopted.

So ordered.

Mr. Spencer moved to suspend the rules, and take up, out of order, Assembly Bill No. 561, and read the same third time.

Ayes and noes demanded by Senators Reddy, Taylor, and Spencer of Napa.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Langford, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—25.

NOES—Messrs. Cross, Del Valle, Filcher, Foster, Kelly, Lynch, McClure, Parkinson, and Spencer of Stanislaus—9.

THIRD READING OF BILL.

Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Dougherty, Drum, Hurlburt, Johnson of Sonoma, Langford, Mahler, Palmieri, Perry, Reddy, Routier, Saxe, Taylor, Vrooman, Wallis, and Wright—23.

NOES—Messrs. Del Valle, Filcher, Foster, Johnson of San Bernardino, Kelly, Lynch, McClure, and Spencer of Stanislaus—8.

Title read and approved.

Hon. R. F. Del Valle in the chair.

Mr. Perry moved to take up Assembly Constitutional Amendment No. 7, out of order.

Withdrawn.

RESOLUTION.

By Mr. Cross:

Resolved, That Mrs. L. P. Russell be and is hereby allowed the sum of two dollars per day, for extra work during the session, and one week's extra pay after the adjournment of the Senate, and the Controller of the State is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Adopted.

The committee appointed to wait on the Governor made verbal report that the Governor had no further business to transmit.

CONSIDERATION OF A BILL—(OUT OF ORDER).

Mr. Kellogg moved to suspend the rules, and take up, out of order, Assembly Bill No. 244, and read same first time.

So ordered.

Mr. Kellogg moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days, that Assembly Bill No. 244 be considered read first and second times, and placed upon its passage.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, McClure, Palmieri, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—29.

NOES—Messrs. Days, Kelly, Lynch, and Mahler—4.

THIRD READING OF BILL.

Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Langford, Lowe, McClure, Palmieri, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Taylor, Vrooman, Wallis, and Wright—31.

NOES—Messrs. Days, Kelly, Lynch, and Mahler—4.

Title read and approved.

Mr. Johnson of San Bernardino moved to suspend the rules, and take up, out of order, Assembly Bill No. 151.

Lost on a division—ayes, 14; noes, 10.

Mr. Filcher moved to suspend the rules, and take up, out of order, Assembly Bill No. 526.

Mr. Vrooman moved to lay the motion to suspend the rules on the table.

Ayes and noes demanded by Senators Taylor, Filcher, and Drum.

Roll called, with the following result:

AYES—Messrs. Boone, Days, DeLong, Dougherty, Hurlburt, Johnson of San Bernardino, Kelly, Kellogg, Lowe, McClure, Palmieri, Parkinson, Reddy, Routier, Saxe, and Vrooman—16.

NOES—Messrs. Baldwin, Chandler, Cox, Creighton, Del Valle, Drum, Filcher, Johnson of Sonoma, Lynch, Mahler, Perry, Spencer of Napa, Spencer of Stanislaus, Taylor, Wallis, and Wright—16.

President John Daggett in the chair.

Whereupon the President announced that the vote was a tie, and that he would exercise his constitutional right of casting the deciding vote, by ordering the Secretary to record his vote "aye."

So recorded, and the motion to lay on the table declared carried.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Creighton :

WHEREAS, The clerks of the Standing Committees of the Senate, having had an extra amount of work to perform on account of the delay in the organization of the Senate; and, therefore, be it

Resolved, That said clerks be and are hereby allowed seven days extra compensation, for extra services, at the regular per diem, payable out of the Contingent Fund of the Senate. And the Controller is hereby authorized to draw his warrant on the State Treasury for the same.

Lost.

Hon. R. F. Del Valle in the chair.

By Mr. Johnson of Sonoma :

WHEREAS, The Legislature of the State of California is about to adjourn sine die, and the position of President of the Senate at the present session has been one of great importance and responsibility, requiring a thorough knowledge of parliamentary law, courtesy, and firmness in the rulings of the chair; therefore,

Resolved, That in the person of John Daggett, the President of the Senate, this body has had an able, impartial, and efficient officer, who has been equal to the emergency, and who deserves this commendation at the hands of the Senate.

Unanimously adopted.

By Mr. Routier :

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of J. F. Burris, stenographer of the Committee on State Prisons, for the sum of one hundred and fifty dollars, payable out of the Contingent Fund of the Senate. The State Treasurer is directed to pay the same.

Adopted.

By Mr. Cox :

Resolved, That Martin Steinmetz be paid the sum of thirty dollars, for lighting the gas in the Senate Chamber, and that the Controller is hereby authorized to draw his warrant, payable to the said Martin Steinmetz, out of the Contingent Fund of the Senate.

Adopted.

By Mr. Taylor :

Resolved, That Daniel Caughlin, one of the Porters of the Senate, be allowed his per diem of four dollars for the eighteenth, nineteenth, and twentieth days of January, eighteen hundred and eighty-five. The Controller is hereby authorized to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Senate.

Adopted.

By Mr. DeLong :

Resolved, That John H. S. Farrell be allowed four dollars per day for twenty-nine days, from January nineteenth to February sixteenth, inclusive, and the Controller is hereby authorized to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Senate.

Adopted.

Mr. Lynch moved that a committee of three be appointed by the Chair, to wait on the Assembly and ascertain if they have any further business to transmit to the Senate.

So ordered.

The Chairman appointed as such committee Senators Lynch, Taylor, and Lowe.

The committee appointed to wait on the Assembly made verbal

report that the Speaker of the Assembly would transmit a message in a few moments.

A committee appeared from the Assembly, and stated that the Assembly had no further business to transmit.

CONSIDERATION OF BILL—(OUT OF ORDER).

Mr. Cross moved to suspend the rules, and to take up, out of order, Senate Bill No. 236, and read same third time.

So ordered.

Senate Bill No. 236—An Act to amend section ten hundred and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the qualification of voters.

Read third time, and passage refused by the following vote:

AYES—Messrs. Beauvais, Boone, Chandler, Creighton, Cross, Days, DeLong, Drum, Hurlburt, Johnson of San Bernardino, Langford, Lowe, Mahler, Parkinson, Reddy, Routier, Saxe, Taylor, Wallis, and Wright—20.

NOES—Messrs. Del Valle, Dougherty, Filcher, Foster, Kellogg, Lynch, Palmieri, Perry, Spencer of Stanislaus, and Vrooman—10.

RESOLUTION.

By Mr. Filcher:

Resolved, That the hearty thanks of the members of this Senate be and they are hereby tendered to President pro tem. Benj. Knight, for the able and impartial and dignified manner in which he has discharged the duties of that office.

Unanimously adopted.

Mr. Cross asked leave to withdraw all petitions at the desk on woman's suffrage.

So ordered.

RESOLUTION.

By Mr. Lynch:

Resolved, That the President and Secretary be instructed to examine and approve the Journal of to-day upon its receipt to-morrow.

Adopted.

ADJOURNMENT.

At five o'clock P. M., pursuant to concurrent resolution adopted by both Houses of the Legislature, the President declared the Senate adjourned sine die.

JOHN DAGGETT,
President of the Senate.

Attest: EDWIN F. SMITH,
Secretary of the Senate.
R. G. FALK,
Minute Clerk.

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DIRECTIONS.

To find when a Senate Bill, the number of which is known, was introduced and passed, look at the last part of the index. If the number is not known, search for the subject-matter of the bill, where will be stated the number of the bill and the author. When an Assembly Bill was received into the Senate will be found under title "Messages from Assembly," and when it passed, under title "Assembly Bills Passed." The action of each member will be found under his name.

ABBREVIATIONS.

S. B. for Senate Bill; A. B. for Assembly Bill. S. J. R. for Senate Joint Resolution; S. C. R. for Senate Concurrent Resolution. A. J. R. for Assembly Joint Resolution; A. C. R. for Assembly Concurrent Resolution.

ERRATA OF JOURNAL.

- Page 147, word "six," on 7th line from bottom, should read : six hundred and eleven.
Page 263—S. B. No. 288, should read S. B. No. 287.
Page 284—S. B. No. 295, should read S. B. No. 296.
Page 400—S. B. No. 392, should read S. B. No. 292.
Page 422—A. C. R. No. 25, should read A. C. R. No. 23.
Page 531—S. B. No. 307, should read S. B. No. 327.

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| 1 | An Act to amend Section 1360 of the Civil Code of California, and prescribe the order in which the property of a testator must be resorted to for the legacies. Baldwin----- | 116 | | |
| 2 | An Act to prohibit aliens who have not declared their intentions to become citizens of the United States from receiving license to drive and from driving any vehicle for the driving of which a license is required by law. Creighton----- | 116 | | |
| 3 | An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor electoral districts. Days----- | 116 | | |
| 4 | An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California. Days----- | 116 | | |
| 5 | An Act amending Sections 1, 4, and 10 of Article XIII of the Constitution. Days----- | 116 | | |
| 6 | An Act to provide for the payment into the treasuries of counties, and cities and counties, certain fees and percentages collected by Sheriffs of said counties and cities and counties. Days----- | 116 | | |
| 7 | An Act to propose an amendment to Article XX of the Constitution of the State of California, in relation to miscellaneous subjects, by adding a new section thereto, to be known as Section 21, in relation to the equalization of electoral districts. Days----- | 117 | | |
| 8 | An Act to amend Sections 1969 and 1970 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to obligations of the employer. Days----- | 117 | | |
| 9 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, relating to political primary elections, to be known as Section 63. Days----- | 117 | | |
| 10 | An Act to amend Sections 1401 and 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the community property. Days----- | 117 | | |
| 11 | An Act to add a new section to the Political Code, to be known as Section 635, relating to the advertisement of the capital of insurance corporations. Days----- | 117 | | |
| 12 | An Act to amend Section 332 of the Civil Code, to provide for the levying of assessments by corporations. Days----- | 117 | | |
| 13 | An Act to amend Section 427 of the Civil Code, to provide for investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance. Days----- | 117 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 14 | An Act to amend Sections 1357 and 1358 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add four new sections thereto, to be known as Sections 1366, 1367, 1368, and 1369—all relating to political primary elections. Days. | 117 | | |
| 15 | An Act to amend Section 1880 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. DeLong----- | 117 | 192 | 343 |
| 16 | An Act to amend Section 1577 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts. DeLong----- | 117 | 196 | 399 |
| 17 | An Act to amend Sections 8, 9, 10, 11, and 12 of an Act entitled "An Act to establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883. DeLong----- | 118 | 165 | 282 |
| 18 | An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture. DeLong----- | 118 | | |
| 19 | An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1501, 1503, 1504, 1505, and 1507, and to repeal Section 1506 of the Political Code, relating to State Normal Schools, and the organization, powers, and duties of Boards of Trustees of such schools. Del Valle----- | 118 | | |
| 20 | An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums. Dougherty----- | 118 | 291 | 366 |
| 21 | An Act to authorize the State Board of Harbor Commissioners to pay the claim of John S. Wilkins. Dougherty----- | 118 | | |
| 22 | An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use. Filcher----- | 118 | 497 | 544 |
| 23 | An Act to provide for the exhibition of the State's minerals at the World's Fair at New Orleans. Filcher----- | 118 | 148 | |
| 24 | An Act to amend Section 163 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers. Hurlburt-- | 118 | | |
| 25 | An Act to amend Section 1706 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators. Johnson of Sonoma----- | 118 | 196 | |
| 26 | An Act to regulate life and accidental insurance. Lynch----- | 118 | | |
| 27 | An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California. Lynch----- | 118 | | |
| 28 | An Act to amend Section 3571 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands sold which are not the property of the State. McClure----- | 119 | | |
| 29 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as Section 2504, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners. McClure----- | 119 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 30 | An Act to amend Section 1172 of the Political Code, and to provide for exceptions in criminal cases. McClure----- | 119 | 197 | 534 |
| 31 | An Act appropriating money to enable the State Board of Education to carry out the provisions of Section 7 of Article IX of the Constitution, relating to text-books. Perry----- | 119 | 265 | 325 |
| 32 | An Act to authorize the District Attorney of the City and County of San Francisco to appoint a third assistant. Perry----- | 119 | | |
| 33 | An Act to regulate the sale and use of opium, or any preparation thereof. Perry----- | 119 | 215 | 417 |
| 34 | An Act to amend Sections 1033 and 1035 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of actions before trial. Perry----- | 119 | | |
| 35 | An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for its support by the issuance of bonds; and to determine what portion of old county debts is chargeable to such new county. Perry----- | 119 | | |
| 36 | An Act for the relief of Mrs. A. J. F. Phelan. Perry----- | 119 | | |
| 37 | An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilizations of water for agricultural purposes and other beneficial uses made in the State, under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage, and of all claims of right based upon appropriations, diversions, utilizations, laws, or customs; to provide for the recording thereof, according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts for the year in each case. Reddy----- | 119 | | |
| 38 | An Act to provide for the organization and control of water and irrigation districts. Reddy----- | 120 | | |
| 39 | An Act to amend Section 4468 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the definition and sources of the law. Reddy----- | 120 | | |
| 40 | An Act entitled "An Act to repeal Section 1422 of the Civil Code." Reddy----- | 120 | | |
| 41 | An Act to amend the Constitution, relating to Section 1, Article XIV. Reddy----- | 120 | | |
| 42 | An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California. Reddy----- | 120 | | |
| 43 | An Act to amend Section 178 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors. Reddy----- | 120 | | |
| 44 | An Act to amend Section 1153 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to liens of mechanics and others upon real property. Reddy-- | 120 | | |
| 45 | An Act to repeal Section 60 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the marriage of white persons with negroes or mulattoes. Routier----- | 120 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 46 | An Act to amend Section 69 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the issuance of marriage licenses. Routier----- | 120 | | |
| 47 | An Act to prevent the overcrowding of asylums for the insane. Spencer of Napa ----- | 120 | 427 | 512 |
| 48 | An Act to amend the Constitution in regard to the manufacture and sale of intoxicating liquors. Steele ----- | 120 | | |
| 49 | An Act concerning common carriers of water and to define their duties. Whitney ----- | 120 | | |
| 50 | An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use. Whitney ----- | 120 | | |
| 51 | An Act to amend Section 433 of the Political Code, relative to the duty of the Controller. Whitney ----- | 120 | | |
| 52 | An Act to provide for the erection of buildings for the custody of insane criminals, and persons charged with crime, and to appropriate money therefor. Whitney ----- | 120 | | |
| 53 | An Act amending Sections 1, 4, and 10, of Article XIII of the Constitution. Whitney ----- | 121 | | |
| 54 | An Act to authorize the establishment of a quarantine station for the harbor of San Francisco, and to appropriate money therefor. Whitney ----- | 121 | | |
| 55 | An Act to amend Section 690 of the Code of Civil Procedure. Cross----- | 121 | | |
| 56 | An Act to promote agricultural industry. Knight ----- | 121 | | |
| 57 | An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880. Knight ----- | 121 | | |
| 58 | An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundary, and whatever is necessary thereto. Knight----- | 121 | | |
| 59 | An Act amending Section 6, of Article IV, of the Constitution of the State of California, in relation to election of members of the Legislature. Days ----- | 125 | | |
| 60 | An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school text-books. Days ----- | 125 | | |
| 61 | An Act to amend Section 2642 of the Political Code, relating to roads and highways. Johnson of Sonoma ----- | 125 | | |
| 62 | An Act to amend Section 791 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public. Johnson of Sonoma ----- | 125 | | |
| 63 | An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872. Reddy ----- | 125 | 423 | |
| 64 | An Act to amend the Civil Code of the State of California, relating to marriages, by repealing Section 75 of said Code. Lowe ----- | 125 | | |
| 65 | An Act to amend Section 287, Chapter I, Title V, of the Code of Civil Procedure. Lowe ----- | 125 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
|--------|---|------------|----------------|------------------|
| 66 | An Act to provide for making proof of wills during the lifetime of testator. Lowe | 125 | | |
| 67 | An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets within municipalities. Lowe | 125 | | |
| 68 | An Act to amend Chapter XII, Title IX, of the Penal Code, relating to counterfeited trademarks. Boone | 125 | 197 | 533 |
| 69 | An Act to amend Article III, Chapter VII, Title VII, of the Political Code, relative to trademarks. Boone | 125 | 197 | 548 |
| 70 | An Act amending Section 690 of the Code of Civil Procedure, relating to exemption from execution. Boone | 125 | | |
| 71 | An Act regulating the height of division fences in cities and towns. Boone | 126 | 457 | 535 |
| 72 | An Act to amend Section 3571 of the Political Code, relating to the public lands. Wright | 126 | | |
| 73 | An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers. Whitney | 126 | 215 | 384 |
| 74 | An Act entitled "An Act to provide for the future management of the State asylums for the insane." Baldwin | 126 | 344 | 500 |
| 75 | An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable. Baldwin | 126 | | |
| 76 | An Act concerning private banks, bankers, and private banking firms. Vrooman | 127 | | |
| 77 | An Act to amend an Act relating to mutual, beneficial, and relief associations. Vrooman | 127 | | |
| 78 | An Act to create a permanent Code Commission. Vrooman | 127 | | |
| 79 | An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities. Vrooman | 127 | 464 | 534 |
| 80 | An Act creating a State and County Board of Examiners, and prescribing their duties and powers. Vrooman | 127 | | |
| 81 | An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations. Vrooman | 127 | | |
| 82 | An Act concerning corporations engaged in banking and doing a regular commercial banking business. Vrooman | 127 | | |
| 83 | An Act to amend Section 359 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations. Vrooman | 127 | 196 | 507 |
| 84 | An Act to amend Section 2955 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property. Vrooman | 127 | | |
| 85 | An Act to amend Section 1276 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names. Vrooman | 127 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 86 | An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878. Whitney----- | 128 | | |
| 87 | An Act concerning corporations doing a savings bank business. Whitney----- | 128 | | |
| 88 | An Act to amend Section 3893 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the compensation of Auditor and Assessor for extra services. Wright----- | 128 | | |
| 89 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as Section 927, relative to the qualification of deputies in State offices. Routier----- | 128 | 459 | |
| 90 | An Act to legalize acknowledgments of certificates in writing, required by Section 2 of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under Section 2 of said Act. McClure----- | 128 | 466 | 533 |
| 91 | An Act to add a new section to the Code of Civil Procedure, to be numbered 1657, to enable persons claiming to be entitled to any portion of the estate of a deceased person to prove their claims. McClure----- | 128 | | |
| 92 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as Section 390, relating to parties to civil action. McClure----- | 129 | 459 | 515 |
| 93 | An Act to provide for the appointment of appointive officers, members of boards or commissions, of any county, city, and county, township, or municipality; and to provide for the appointment of appointive officers to succeed members of boards, or commissioners, heretofore appointed, whose constitutional or legislative terms of office have already expired. McClure----- | 129 | | |
| 94 | An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said city and counties. Palmieri----- | 129 | | |
| 95 | An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in the State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868. Mahler----- | 129 | | |
| 96 | An Act adding a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 31, 1872, to be and become Section 390 thereof, and relating to parties to actions and proceedings, especially the representative capacity of administrators, executors, and guardians as parties. Vrooman----- | 129 | | |
| 97 | An Act to prevent the spreading of fruit tree pests and diseases, and to provide for their extirpation. Whitney----- | 129 | 193 | 514 |
| 98 | An Act to amend Section 178 of an Act entitled "An Act to establish a uniform system of county and township governments," repealing Subdivision 3 of Section 178 thereof. Lowe----- | 133 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 99 | An Act to amend Section 1329 of the Penal Code, relating to expenses of witnesses. Lowe----- | 133 | | |
| 100 | An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883. Reddy----- | 133 | | |
| 101 | An Act authorizing certain corporations to act as executors, administrators, guardians, trustees, agents, depository, or receiver. Boone----- | 133 | | |
| 102 | An Act to amend Section 539 of the Code of Civil Procedure of the State of California, relating to undertakings on attachments in civil cases. McClure----- | 133 | | |
| 103 | An Act to amend Section 482 of the Code of Civil Procedure of the State of California, relating to undertakings on arrest and bail in civil actions. McClure----- | 133 | | |
| 104 | An Act to encourage and provide for a general vaccination in the State of California. Saxe----- | 133 | | |
| 105 | An Act to authorize the removal of the ores, rocks, fossils, and minerals which are products of California, to the New Orleans Exposition. Spencer of Stanislaus----- | 133 | | |
| 106 | An Act to amend Section 3824 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of collection of taxes, by the Assessor, on certain personal property. Wright----- | 134 | 426 | 515 |
| 107 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as Section 1056, and to amend Section 1057 of said Act, relating to sureties on undertakings and bonds. Kellogg----- | 134 | | |
| 108 | An Act to amend Section 939 of the Code of Civil Procedure of the State of California, relating to appeals in civil cases. Kellogg----- | 134 | 457 | 533 |
| 109 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. Vrooman----- | 134 | | |
| 110 | An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880. Chandler----- | 137 | | |
| 111 | An Act to provide for the construction of a public morgue in the City and County of San Francisco. Lynch----- | 138 | | |
| 112 | An Act to amend Sections 1183, 1184, 1191, and 1195 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as Sections 1200, 1201, 1202, and 1203, all relating to liens of mechanics and others upon real property, and to carry out the mandate of Section 15 of Part XX of the Constitution. Vrooman----- | 138 | 482 | 536 |
| 113 | An Act to provide for the completion of the State Capitol fence and to appropriate money therefor. Cox----- | 138 | 240 | 384 |
| 114 | An Act to provide for a sidewalk for the State Capitol grounds and to appropriate money therefor. Cox----- | 138 | 261 | 384 |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 115 | An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane. Perry----- | 138 | | |
| 116 | An Act to amend Section 245 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employes of the Senate. Vrooman----- | 138 | 197 | |
| 117 | An Act to amend Sections 104, 105, and 106 of an Act entitled "An Act to establish a Code of Civil Procedure," relating to Justices of the Peace and to Justices' Courts. Vrooman----- | 138 | | |
| 118 | An Act for the relief of Robert McKillican. Vrooman----- | 138 | 288 | 384 |
| 119 | An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and foods and drugs, to prevent the adulteration of the same. Saxe----- | 138 | 455 | 533 |
| 120 | An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of the People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County. Whitney----- | 138 | 458 | 524 |
| 121 | An Act to amend Section 1880 of the Code of Civil Procedure. Hurlburt----- | 138 | | |
| 122 | An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art. McClure----- | 144 | | |
| 123 | An Act to provide for payment for private property heretofore taken for public use. McClure----- | 145 | | |
| 124 | An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco. McClure----- | 145 | 240 | 453 |
| 125 | An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883. Cox----- | 145 | | |
| 126 | An Act relating to the adulteration of food and drugs. Boone----- | 145 | | |
| 127 | An Act to amend Sections 3839, 3840, 3841, 3843, 3845, 3854, 3858, 3860, and 3862 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections thereto, to be known as Sections 3863 and 3864, all relating to revenue and poll taxes. Parker----- | 145 | | |
| 128 | An Act to authorize and provide for the erection of buildings to be used as health offices and morgues, in the various counties, cities, cities and counties of the State of California. Drum----- | 145 | | |
| 129 | An Act to add a new section to the Penal Code, to be known as Section 310, relating to selling liquors to patients in county hospitals. Mahler----- | 145 | | |
| 130 | An Act to add a new section to the Political Code, to be designated as Section 1085, relating to patients in county hospitals voting. Mahler----- | 145 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
|--------|---|------------|----------------|------------------|
| 131 | An Act to amend Sections 2445, 2457, 2460, 2435, 2465, 2466, and 2467 of the Political Code, relating to the pilot regulations of San Francisco, Mare Island, and Benicia. Lynch----- | 145 | | |
| 132 | An Act to amend Sections 2521, 2522, 2528, 2530, 2535, 2536, and 2552, and to repeal Section 2533 of, and to add two new sections, to be known as Sections 2554 and 2555, to the Political Code; the said sections as amended and the said new sections defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary and other officers, fixing the salary and amount of the bond of the Secretary, and prescribing the modes of collecting wharfage. Lynch----- | 146 | | |
| 133 | An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports. Days ----- | 146 | 252 | |
| 134 | An Act to provide for Police Courts in cities having 30,000 and under 100,000 inhabitants, and to provide for officers thereof. Whitney-- | 146 | 456 | 581 |
| 135 | An Act to amend Section 1543 of the Political Code, in relation to the duties of School Superintendents. Whitney----- | 146 | | |
| 136 | An Act to amend Chapter V, Part I, of the Code of Civil Procedure, and each and every article and section thereof, and substituting a new Chapter V to take the place thereof in said Code, relating to Justices' Courts. Whitney----- | 146 | | |
| 137 | An Act to add a new section to the Political Code, to be known as Section 3084, relating to certification of cause of death, and granting burial permits for a deceased person. Whitney ----- | 146 | 458 | 515 |
| 138 | An Act to amend an Act entitled "An Act to establish free public libraries and reading rooms." Whitney----- | 146 | | |
| 139 | An Act to add a new section to the Civil Code, to be known as Section 541, in relation to telegraph lines. Whitney----- | 146 | | |
| 140 | An Act to repeal Section 548, and to amend Section 549 of the Civil Code, and to add a new section to said Civil Code, to be known as Section 553, in relation to water and canal corporations. Whitney-- | 146 | | |
| 141 | An Act to add a new section to the Civil Code, to be known as Section 492, in relation to the construction, ownership, and management of railroads. Whitney----- | 147 | | |
| 142 | An Act to repeal Section 521 of the Civil Code, in relation to wagon road corporations. Whitney ----- | 147 | | |
| 143 | An Act to add a section to the Political Code, to be known as Section 2223, concerning preservation of testimony taken upon the examination of persons alleged to be insane. Cross----- | 147 | | |
| 144 | An Act to provide for taxes upon the income of railroad companies or corporations, and every other company or corporation whose property is devoted to or affected by public use, who shall fail to pay their property taxes. Cross----- | 147 | | |
| 145 | An Act to declare the identity of married women. Cross ----- | 147 | | |
| 146 | An Act to further the rights of inmates of insane asylums. Cross-- | 147 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 147 | An Act for the preservation of human life, and to prevent accidents by or on street railway cars of vehicles running on or through the streets of the cities and towns of the State of California, and to compel the use of guards and safety devices on such conveyances. Boone----- | 147 | | |
| 148 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become Section 637, relating to the reinsurance of risks by insurance companies authorized to transact business in this State. Vrooman----- | 147 | | |
| 149 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be and become Section 636, relating to the examination by the Insurance Commissioner of insurance companies not organized under the laws of this State. Vrooman----- | 147 | | |
| 150 | An Act to amend Section 332 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the levying of assessments of corporations. Vrooman----- | 147 | | |
| 151 | An Act to amend Section 6 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, so as to prescribe the time for publishing the statements of insurance companies. Vrooman----- | 147 | | |
| 152 | An Act to amend Sections 1365 and 1379 of the Code of Civil Procedure, relating to the administration of estates. Steele----- | 147 | | |
| 153 | An Act to amend Section 832 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to place of trial of actions in Justices' Courts. Kellogg----- | 163 | | |
| 154 | An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880. Del Valle----- | 163 | 440 | 515 |
| 155 | An Act to establish a boys' reform school, for the correction and reformation of juvenile offenders. Lowe----- | 163 | | |
| 156 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the duties of School Superintendents. Spencer of Napa----- | 163 | | |
| 157 | An Act to amend Section 1097 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. Spencer of Napa----- | 163 | | |
| 158 | An Act to regulate fees of Clerks of Superior Courts in the State of California. McClure----- | 163 | | |
| 159 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons. McClure----- | 163 | | |
| 160 | An Act to amend Sections 577 and 670 of the Code of Civil Procedure of the State of California, relating to judgments and judgment rolls in civil cases. McClure----- | 163 | | |
| 161 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered and known as Section 4415, relating to the legislative powers of cities, cities and counties, and incorporated towns. McClure----- | 163 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
|--------|--|------------|----------------|------------------|
| 162 | An Act to prohibit the burial of dead bodies within the corporate limits of cities, towns, and cities and counties, and to provide for burials in other places. McClure (by request)----- | 164 | | |
| 163 | An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the State Board of Equalization for the 35th and 36th fiscal years. Spencer of Stanislaus----- | 164 | | |
| 164 | An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove. Spencer of Stanislaus----- | 164 | 250 | 399 |
| 165 | An Act to empower the State Board of Education to preserve and protect the rights of the State of California in and to the textbooks to be adopted by said Board. Perry----- | 164 | | |
| 166 | An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor. Wright----- | 164 | 385 | 507 |
| 167 | An Act to regulate the practice of pharmacy, the sale of medicine and poison, to provide for the inspection of drugs and medicines, and to prevent and punish the adulterations of the same. Boone-- | 164 | | |
| 168 | An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery and blank books, and county advertising. Johnson of San Bernardino----- | 164 | | |
| 169 | An Act to amend Section 3785 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale. Vrooman----- | 164 | | |
| 170 | An Act to establish a branch State Normal School. Foster----- | 164 | | |
| 171 | An Act to enlarge the duties of the Board of State Viticultural Commissioners. Routier----- | 164 | | |
| 172 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to bribery. Days-- | 165 | | |
| 173 | An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880. Days----- | 165 | | |
| 174 | An Act to amend Section 3442 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands. Baldwin----- | 167 | 462 | |
| 175 | An Act to establish a State detective force for the better enforcement of the laws. Reddy (by request)----- | 167 | | |
| 176 | An Act concerning municipal corporations. Parker----- | 167 | 428 | 507 |
| 177 | An Act to provide for the disposal of dead bodies by cremation. McClure (by request)----- | 167 | | |
| 178 | An Act to amend Title V, Chapter I, of the Political Code, by adding thereto a new article, to be known as Article VII. Knight----- | 167 | | |
| 179 | An Act to amend Section 928 of an Act entitled "An Act to establish a Penal Code," approved April 16, 1880, relative to the Grand Juries. Boone----- | 168 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 180 | An Act to add to Part II, Division II, of the Civil Code, a new title, to be known as Title V, containing eighteen sections, to be numbered 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, and 895, relating to mining laws. Mahler----- | 171 | | |
| 181 | An Act to add a new section to the Code of Civil Procedure, to be designated as Section 635, relating to findings in civil cases. Hurlburt ----- | 172 | | |
| 182 | An Act to amend Sections 8 and 11 of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880. Cross (by request) ----- | 172 | 483 | 541 |
| 183 | An Act to amend Section 5969 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to immigration ----- | 172 | | |
| 184 | An Act for the relief of P. A. Forrester, providing for the payment to him of his salary, and expenses of office as Commissioner of Immigration for the port of San Francisco, from April 1, 1883, to December 31, 1884. Steele (by request)----- | 172 | | |
| 185 | An Act to facilitate the giving of bonds required by law. Vrooman (by request)----- | 172 | | |
| 186 | An Act to amend sections of the Political Code, relating to the militia, as follows: Sections 1917, 1929, 1962, 1974, 2007, 2008, 2022, 2036, 2028, 2093, 2094, and to repeal Section 2027. Lynch ----- | 173 | | |
| 187 | An Act to provide for the establishment of industrial schools, and for the maintenance and government of the same, and of all such as are now established by law, and for the commitment of children thereto. Days ----- | 179 | | |
| 188 | Proposed amendment to Article VI of the Constitution of the State of California, relating to the judicial department of the Government. Lowe ----- | 179 | | |
| 189 | An Act to repeal Chapter 429 of the Political Code, entitled "An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers." Langford----- | 179 | | |
| 190 | An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as Section 362, relating to certificates of incorporation. McClure ----- | 184 | 457 | 515 |
| 191 | An Act relating to revenue and taxation. Spencer of Napa----- | 184 | | |
| 192 | An Act to amend Sections 3771, 3773, 3786, and 3787 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation. Spencer of Napa ----- | 184 | | |
| 193 | An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 329, relative to the commencement of actions for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any tax. Spencer of Napa----- | 184 | | |

| Number | TITLE. | Introduced. | Passed Senate. | Passed Assembly. |
|--------|--|-------------|----------------|------------------|
| 194 | An Act to appropriate \$15,000 for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of James W. Marshall, the discoverer of gold; the said sum to be invested in such sureties as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall, during his lifetime. Mahler ----- | 184 | | |
| 195 | An Act providing for the payment of a balance of a judgment due in favor of Trustum C. Gilman against the County of Contra Costa. Vrooman ----- | 185 | | |
| 196 | An Act to establish a standard of weights and measures. Creighton. | 185 | | |
| 197 | An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention. Creighton----- | 185 | | |
| 198 | An Act to create a State Board of Forestry, and to provide for the expenses thereof. Lynch----- | 185 | | |
| 199 | An Act for the relief of Esther H. Dennis. Drum----- | 185 | | |
| 200 | An Act to create and establish a State Board of Sheep Husbandry, and to appropriate money for the expenses thereof. Foster----- | 187 | | |
| 201 | An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be known as Section 1423. Cross----- | 193 | | |
| 202 | An Act to amend Sections 3664, 3665, 3669, 3670, 3771, 3773, 3776, 3779, 3786, and 3787 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue. Spencer of Napa----- | 195 | | |
| 203 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1034 thereof, respecting costs on appeal. Spencer of Napa----- | 195 | | |
| 204 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3821, in relation to the collection of personal property tax. Spencer of Napa----- | 195 | | |
| 205 | An Act to amend Section 974 of the Code of Civil Procedure, in relation to appeals to Superior Courts. Johnson of Sonoma----- | 195 | | |
| 206 | An Act to amend Section 964 of the Code of Civil Procedure, in relation to appeals to Supreme Court. Johnson of Sonoma----- | 195 | | |
| 207 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure." Cross----- | 195 | | |
| 208 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as Section 390, relating to actions between the State and individuals. Cox (by request)----- | 195 | | |
| 209 | An Act to amend Section 3062 of an Act entitled "An Act to establish a Political Code," relating to Boards of Health. Saxe----- | 195 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 210 | An Act to amend Title VIII, of Part IV, of the Act to establish a Civil Code, approved March 21, 1872, by repealing Section 1422 thereof, and by adding thereto new sections numbered 1422, 1423, 1424, and 1425, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within Title III of Part III of the Code of Civil Procedure of this State. Reddy----- | 198 | | |
| 211 | An Act to establish a branch State Normal School. Taylor----- | 200 | | |
| 212 | An Act to amend Sections 3077, 3078, and 3082 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, marriages, and deaths. Saxe----- | 206 | | |
| 213 | An Act to add a new section to the Political Code, to be numbered 475, relative to deposits with banks, bankers, trust companies, and savings and loan societies. Creighton----- | 206 | | |
| 214 | Proposed amendment to Article VI of the Constitution of the State of California, relating to salaries of Justices of the Supreme Court and Superior Court Judges. Reddy----- | 206 | | |
| 215 | An Act to provide for the payment of the claim of Colonel W. B. Burtis for special services performed by him as Second Lieutenant, Company F, Second Infantry Regiment, Second Brigade, National Guard California, pursuant to Special Order Number 26, series 1880, issued from General Headquarters. Routier (by request)--- | 206 | | |
| 216 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, in relation to the powers and duties of Boards of Supervisors, and highway officers and highways, to be numbered 2656, and to read as follows. Filcher----- | 206 | | |
| 217 | An Act authorizing the Boards of Supervisors of their respective counties to prevent or limit the trespass of animals, and to provide a penalty therefor. Filcher----- | 207 | | |
| 218 | An Act to authorize the construction, furnishing, and leasing of a hotel in Yosemite Valley, and to appropriate money therefor. McClure----- | 207 | | |
| 219 | An Act to amend Section 181 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and to provide for the temporary filling of any vacancy as to any office or officer named therein or created thereby. Vrooman----- | 207 | | |
| 220 | An Act to reimburse John Marty, Albert Grubbs, and Theodore Dosh, for services rendered the State of California on the State Capitol grounds. Perry (by request)----- | 208 | | |
| 221 | An Act to provide a remedy in cases where damages have been sustained by the illegal and irregular proceedings of municipal officers, and for the payment of the same. Drum----- | 212 | | |
| 222 | An Act to amend Section 862 of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883. Wright----- | 212 | | |
| 223 | An Act to amend Section 323 of the Civil Code, relating to corporate stock. Days----- | 212 | | |
| 224 | An Act to amend Section 324 of the Civil Code, concerning corporations and corporate stock. Days----- | 212 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 225 | An Act to amend Section 358 of the Civil Code, concerning corporate powers. Days ----- | 212 | | |
| 226 | An Act to amend Section 378 of the Civil Code, concerning records of corporations. Days ----- | 212 | | |
| 227 | An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate. Days ----- | 212 | | |
| 228 | An Act to amend Section 1091 of the Code of Civil Procedure, relating to the writ of mandate. Days ----- | 212 | | |
| 229 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, by adding a new section thereto, relative to service in civil or criminal proceedings, and to be numbered Section 1018. Filcher ----- | 212 | | |
| 230 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by repealing Section 2110 of said Act, relative to the office of Assistant Adjutant-General. Palmieri (by request) ----- | 212 | | |
| 231 | An Act to establish the "California Home for the Care and Training of Feeble-minded Children." McClure ----- | 215 | | |
| 232 | An Act to provide for including within any reclamation district in this State certain lands requiring protection from overflow, and which may be protected by the same system of works as shall be required for the protection of the lands originally embraced within said district. Langford ----- | 217 | | |
| 233 | An Act to abolish the office of State Board of Railroad Commissioners. Saxe ----- | 217 | | |
| 234 | An Act for the suppression of vagrancy, to be known as the "Tramp Act." Saxe ----- | 217 | | |
| 235 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known and numbered as Section 273, relative to the control, care, and custody of minor children. Dougherty ----- | 217 | | |
| 236 | An Act to amend Section 1083 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the qualification of voters. Cross ----- | 223 | | |
| 237 | An Act to provide that no compensation shall be paid to the Mayor or members of the Common Council of cities containing less than ten thousand inhabitants. Steele (by request) ----- | 223 | | |
| 238 | An Act to amend Section 1664 of the Political Code, relating to public schools. Steele (by request) ----- | 223 | | |
| 239 | An Act to abolish all Commissioners, or Boards of Commissioners, as heretofore created or appointed to construct or complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or the governing body of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed. Parkinson ----- | 223 | | |
| 240 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 1190, relating to the payment of election rewards. Days ----- | 224 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
|--------|---|------------|----------------|------------------|
| 241 | An Act to provide for the commitment of persons convicted of crime to the House of Correction. Days ----- | 224 | 456 | 512 |
| 242 | An Act to propose an amendment to Section 1 of Article XIII of the Constitution of the State of California, relating to revenue and taxation. Spencer of Napa ----- | 224 | | |
| 243 | An Act to amend Section 2 of an Act entitled "An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers," approved March 29, 1878. Vrooman ----- | 227 | 344 | |
| 244 | An Act to change the official name of the Deaf, Dumb, and Blind Asylum. Whitney ----- | 227 | | |
| 245 | An Act to amend Section 2525 of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties. Kelly ----- | 231 | | |
| 246 | An Act to establish the office of Public Defender in counties, and cities and counties, having over 100,000 inhabitants, and to provide for his duties and compensation. Days ----- | 231 | | |
| 247 | An Act to amend Sections 1517, 1518, 1519, 1520, 1521, 1532, 1643, 1545, 1546, 1548, 1549, 1560, 1562, 1564, 1565, 1578, 1593, 1617, 1621, 1622, 1699, 1701, 1769, 1771, 1775, 1791, 1793, 1819, 1857, 1858, 1859 of the Political Code, to add a new section, to be known as Section 1834 thereof, and to repeal Sections 1533, 1618, and 1792 of said Code. Johnson of Sonoma ----- | 231 | 439 | |
| 248 | An Act to amend Section 2027 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to company drills in certain cities. Perry ----- | 231 | | |
| 249 | An Act to provide for the impounding of mining debris. Cross ----- | 231 | | |
| 250 | An Act to provide for the removal of the cabinet department from the State Library to the University of California. Whitney ----- | 232 | | |
| 251 | An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Section 862 thereof, relating to the powers of Boards of Trustees of cities of the sixth class. Johnson of San Bernardino ----- | 237 | 532 | 573 |
| 252 | An Act to repeal Section 5 of an Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino, approved February 14, 1878. Johnson of San Bernardino ----- | 237 | | |
| 253 | An Act to appropriate money to Wright & Sanders, to pay the balance due them for services as architects in the construction of the Napa State Asylum for the Insane. McClure ----- | 237 | | |
| 254 | An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract for services as architects in the construction of the Napa State Asylum for the Insane. McClure ----- | 238 | | |
| 255 | An Act to appropriate money to E. S. Maberry, to pay the balance due him under his contract for carpenter work in the construction of the Napa State Asylum for the Insane. McClure ----- | 238 | | |
| 256 | An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing statuary in the construction of the Napa State Asylum for the Insane. McClure ----- | 238 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 257 | An Act to appropriate money to W. F. Wilson & Co., to pay the balance due them under their contract for doing the plumbing in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 258 | An Act to appropriate money to Cox & Colby, to pay the balance due them under their contract for furnishing the brick for the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 259 | An Act to appropriate money to Cox & Warren, to pay the balance due them under their contract for plastering in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 260 | An Act to appropriate money to James Hunter & Co., to pay the balance due them under their contract for doing tin work in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 261 | An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing artificial stone in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 262 | An Act to appropriate money to W. W. Montague & Co., to pay the balance due them under their contract for furnishing materials in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | 423 | |
| 263 | An Act to appropriate money to George J. Mothersole, to pay the balance due him on his contract for furnishing slating in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 264 | An Act to appropriate money to Baker, Smith & Co., to pay the balance due them under their contract for furnishing heating apparatus in the construction of the Napa State Asylum for the Insane. McClure----- | 238 | | |
| 265 | An Act to appropriate money to the Electrical Construction and Maintenance Company, to pay the balance due them under their contract for furnishing electrical apparatus in the construction of the Napa State Asylum for the Insane. McClure----- | 239 | | |
| 266 | An Act to appropriate money to Robert Ewing, to pay the balance due him under his contract for brickwork in the construction of the Napa State Asylum for the Insane. McClure----- | 239 | | |
| 267 | An Act to appropriate money to Noble & Gallagher, to pay the balance due them under their contract for the painting in the construction of the Napa State Asylum for the Insane. McClure----- | 239 | | |
| 268 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered Section 209, relative to selling human beings, and placing human beings under restraint and in brothels. Dougherty----- | 239 | | |
| 269 | An Act to amend Section 3785 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale. Vrooman----- | 239 | 424 | 507 |
| 270 | An Act to amend Section 3780 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale. Vrooman----- | 239 | 425 | 507 |
| 271 | An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers." Mahler----- | 239 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 272 | An Act to amend Sections 2218 and 2222 of an Act to establish a Political Code, approved March 12, 1872, relative to the care by Sheriffs of insane persons. Knight----- | 240 | | |
| 273 | An Act to amend Section 21 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883. Knight----- | 240 | | |
| 274 | An Act to amend an Act entitled "An Act to establish a Penal Code," by amending Section 1046 thereof, relating to forming juries in criminal cases. Cross----- | 242 | | |
| 275 | An Act to pay the heirs of John O. Brown the sum of \$2,300 40, for goods, wares, and merchandise, furnished to the State for the construction of the branch State Prison at the town of Folsom, at the instance and request of the Superintendent of said work. Routier----- | 249 | | |
| 276 | An Act to amend Section 1672 of the Political Code, relating to public schools, and the examination and certificates of teachers. Routier----- | 249 | | |
| 277 | An Act to amend Section 1665 of the Political Code, in relation to public schools, and the branches of instruction to be given therein. Routier----- | 250 | | |
| 278 | An Act to enable John Hoagland, James Reid, Mrs. Rebecca C. Hoagland, George Cooper, William B. Todhunter, Mrs. Mary W. G. Van Arsdall, Henry Lienberger, Christopher Green, and Charles Trainer to sue the State of California. Cox----- | 250 | | |
| 279 | An Act to secure the payment of workmen for the labor performed, or materials furnished, either by contract or otherwise. Kelly----- | 250 | | |
| 280 | An Act to restrict the use of granite produced from the quarries of the State, and to provide a penalty for a violation of the same. Filcher----- | 250 | | |
| 281 | An Act to appropriate the sum of \$34,419 40, with legal interest thereon, to pay the amount found by the Sixth Judicial District Court to be due M. Miles and his sureties, for work done under contract in building the State Prison at Folsom. Days----- | 250 | | |
| 282 | An Act to provide an additional asylum for the insane of the State of California. Hospital Committee----- | 259 | 329 | 507 |
| 283 | An Act to amend Section 74 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to interest on unpaid warrants. Knight----- | 259 | | |
| 284 | An Act to promote drainage. Johnson of Sonoma (by request)----- | 259 | | |
| 285 | An Act to amend Section 2682 of the Political Code, relative to roads and highways. Johnson of Sonoma----- | 259 | 454 | 534 |
| 286 | An Act to amend Section 3571 of the Political Code of California, concerning public lands. Lowe----- | 260 | | |
| 287 | An Act to appropriate the sum of \$1,455 71, with legal interest thereon, to pay amount of claim of Mrs. Annie McNamee, widow of Frank McNamee, deceased, for money, material, and goods furnished M. Miles, as contractor, in building the State Prison at Folsom. Routier----- | 263 | | |
| 288 | An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern. Steele----- | 269 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 289 | An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor. Saxe ----- | 269 | | |
| 290 | An Act to amend Sections 3731, 3840, 3845, 3858, 3860, and 3862 of an Act entitled "An Act to establish a Political Code," relative to the collection of poll taxes. Cox ----- | 275 | | |
| 291 | An Act to amend Section 2349 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public ways and navigable streams. McClure ----- | 276 | | |
| 292 | An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County. Baldwin ----- | 276 | 400 | |
| 293 | An Act to appropriate money to pay the claim of William Guttenberger, for mechanics' tools and property destroyed at the Branch State Prison at Folsom. Routier (by request) ----- | 276 | | |
| 294 | An Act to provide for an appropriation for the contingent expenses of the Senate, for the twenty-sixth session of the Legislature. Lynch ----- | 277 | 278 | 278 |
| 295 | An Act appropriating money to pay the claim of C. C. Racheford, Sheriff of Modoc County. Taylor ----- | 283 | | |
| 296 | An Act to provide for a State Board of Charities. Whitney ----- | 284 | | |
| 297 | An Act to authorize the Boards of Supervisors of the counties in which water is sold for irrigation, to fix the rates at which water shall be sold, to prevent improper limitations concerning the distribution of water to stockholders, and to provide a penalty for the violation of the provisions of this Act by any person, company, or corporation. Whitney ----- | 286 | | |
| 298 | An Act concerning the residences of Notaries Public. Saxe ----- | 287 | | |
| 299 | An Act to amend Section 849 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the service of summons in Justices' Courts. Boone ----- | 287 | | |
| 300 | An Act to amend Sections 1238, 1240, and 1244 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the exercise of the rights of eminent domain. McClure ----- | 287 | | |
| 301 | An Act to establish a Commission to examine and report upon water rights and irrigation in the State of California. McClure ----- | 299 | | |
| 302 | An Act to amend Section 869 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor. Kellogg ----- | 299 | | |
| 303 | An Act to amend Section 2642 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Road Overseers and Road Commissioners. Saxe ----- | 299 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 304 | An Act to amend Sections 2521 and 2552 of the Political Code, and to add a new section, to be known as Section 2556, to the same Code, the said amended sections prescribing the terms of office of Wharfingers and Collectors, and fixing the salaries of Collectors, and the said new section prescribing the mode of collecting wharfage on merchandise, and abolishing wharfage on merchandise loaded on vessels or cars to be transported out of the City and County of San Francisco. Lynch | 300 | | |
| 305 | An Act to amend Sections 2522, 2528, 2530, 2535, 2536, and 2552, and to repeal Section 2533 of the Political Code, and to add two new sections, to be known as Sections 2554 and 2555, to the same Code; the said amended sections and said new sections defining more clearly the powers and duties of the Board of State Harbor Commissioners, the duties of the Secretary and other officers of the Board, fixing the salary and the amount of the bond of the Secretary, and prescribing a mode of collecting wharfage from railroad companies. Lynch | 300 | | |
| 306 | An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary to State Engineer for the thirty-fifth and thirty-sixth fiscal years. Cox | 304 | | |
| 307 | An Act to create a State Immigration Commissioner, and to prescribe his powers and duties. Committee on Immigration other than Chinese Immigration | 304 | | |
| 308 | An Act to provide for the granting of franchises to use streets, and for the use of streets in incorporated cities and counties, cities, or towns, and for the transportation of local passengers therein. Langford | 309 | | |
| 309 | An Act to appropriate money for the support of the Bureau of Labor Statistics. Cox | 309 | 328 | 438 |
| 310 | An Act to amend Section 1431 of the Code of Civil Procedure, relating to the disqualification of Judges and transfer of administrations. Cross | 309 | | |
| 311 | An Act to amend Section 1171 of the Code of Civil Procedure. Parkinson | 319 | | |
| 312 | An Act to amend Chapter IV of the Code of Civil Procedure, concerning summary proceedings for obtaining possession of real property when no judgment for damages or costs is demanded. Parkinson | 319 | | |
| 313 | An Act to amend Section 869 of the Code of Civil Procedure. Parkinson | 319 | | |
| 314 | An Act to prevent unjust delays and expenses in cases of unlawful detainer of real property. Parkinson | 319 | | |
| 315 | An Act to secure to the State of California the benefits of experience among teachers in the public schools. Vrooman | 326 | | |
| 316 | An Act to amend Section 534 of the Political Code, relating to the salary of the Superintendent of State Printing. Public Printing | 326 | 440 | 507 |
| 317 | An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom. McClure | 326 | 459 | 515 |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 318 | An Act to amend Section 15, of Article XX, of the Constitution of the State of California. Filcher (by request)----- | 327 | | |
| 319 | An Act regulating the labeling of vessels containing fermented liquors. Routier----- | 332 | | |
| 320 | An Act to add a section to the Civil Code, relating to insurance. Whitney----- | 349 | | |
| 321 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872. DeLong----- | 349 | | |
| 322 | An Act to amend Title XIII, Part I, of the Penal Code, by adding thereto a new section, numbered 537, making it a felony for any person to sell, barter, mortgage, or dispose of any interest or pretended interest in any water right, ditch, or canal, before procuring a valid title to the same. Parker----- | 349 | | |
| 323 | An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the Insane Asylums, in lieu of per diem and expenses. Lowe----- | 350 | 476 | 549 |
| 324 | An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State. Boone----- | 368 | | |
| 325 | An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor. Spencer of Napa----- | 393 | 440 | |
| 326 | An Act to appropriate money to provide for the deficiency in the appropriation for pay and mileage of the Lieutenant-Governor and Senators for the 26th session of the Legislature. Committee on Finance----- | 430 | 455 | 475 |
| 327 | An Act to authorize municipal corporations of the fifth class containing more than 3,000 and less than 10,000 inhabitants, to obtain public waterworks. Knight----- | 499 | 531 | 535 |
| 328 | An Act to appropriate money to complete the sewerage system of the Asylum for the Insane at Stockton by opening North Street Canal from said asylum grounds to the San Joaquin River. Langford----- | 499 | | |
| 329 | An Act to exclude all Chinese from the public schools of the State of California. Cross----- | 501 | | |
| 330 | An Act to provide for the levy of a tax for State purposes for the 37th and 38th fiscal years. Cross----- | 568 | | |

SENATE CONCURRENT RESOLUTIONS.

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
|--------|---|------------|----------------|------------------|
| 1 | Relative to the election of United States Senator. Days..... | 121 | | |
| 2 | Relative to viticultural industries. Spencer of Napa..... | 121 | 173 | 236 |
| 3 | Relative to directing the Governor to fix the compensation due Captain John Mullan in collection of claims. Taylor..... | 121 | 370 | 399 |
| 4 | Relative to bonds of the Attorney-General and several county officials having in possession moneys belonging to the State. Perry..... | 121 | | |
| 5 | Relative to directing the Governor to appoint a committee of five citizens to inquire into the subject of penology as applicable to the condition of prison affairs within this State. Perry..... | 121 | 166 | 275 |
| 6 | Relative to the subject of restriction of Chinese immigration. Whitney..... | 121 | 174 | 275 |
| 7 | Relative to the protection and promotion of the viticultural industries of the State of California, and other States of the Union. Reddy..... | 121 | | |
| 8 | Relative to tariff on raisins. Johnson of San Bernardino..... | 122 | | |
| 9 | Relative to tariff on prunes. Parker..... | 126 | | |
| 10 | Relative to adulterations of articles of food. Saxe..... | 134 | 187 | 312 |
| 11 | Relative to a signal service station at Mt. Tamalpais. DeLong..... | 140 | 140 | 205 |
| 12 | Declaratory of the proposal, submission, and ratification of certain amendments to the Constitution. Vrooman..... | 161 | 163 | 249 |
| 13 | Relative to joint convention for election of Library Trustees. Vrooman..... | 165 | 165 | 171 |
| 14 | Relative to the proposed treaty of Nicaragua with the United States. Steele..... | 190 | 190 | 236 |
| 15 | Relative to making the Department of Agriculture a Cabinet office. Johnson of Sonoma..... | 198 | 207 | |
| 16 | Relative to printing astronomical reports of Lick Observatory. Lowe. | 204 | 204 | 286 |
| 17 | Relative to bill in Congress known as the Reagan Act. Johnson of Sonoma..... | 208 | | |
| *18 | Relative to the direct war tax assessed and levied upon the several States under the Act of Congress, approved August 5, 1861. Parker..... | 126 | 207 | 543 |
| 19 | Relative to sale of public lands west of the Rocky Mountains. Saxe. | 250 | | |
| 20 | Relative to increasing the defenses of and about the City of San Francisco. Boone..... | 272 | | |

* Introduced as S. J. R. 1, and changed to S. C. R. 18, page 210.

| Number | TITLE. | Introduced. | Passed Senate. | Passed Assembly. |
|--------|---|-------------|----------------|------------------|
| 21 | Relative to authorizing and instructing the Secretary of State to forward to each United States District Court for California, Oregon, and Nevada, and the United States Circuit Court of the Ninth Judicial Circuit, sets of California Statutes and Supreme Court Reports. Boone----- | 295 | | |
| 22 | Relative to the Sumner Postal Telegraph Bill. Reddy----- | 320 | | |
| 23 | Relative to the suspension of silver coinage. Reddy----- | 324 | 324 | |
| 24 | Relative to the condition of certain portions of the people and their settlement upon the public lands of the United States. Days----- | 463 | | |
| *25 | Relative to the law providing for the reimbursement to the State of all sums expended in defense of the United States. Baldwin----- | | 470 | 524 |
| *26 | Relative to an adjustment of the accounts of the different States with the United States, arising out of proceedings under the direct tax law of January 5, 1861. Baldwin----- | | 470 | 524 |
| 27 | Relative to appreciation of services of our representatives in Congress. Cox----- | 469 | 470 | |

* No mention of introduction is found in the Journal.

8-18-80 a.c.c.





